Supreme Court, U.S.
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OFFICE OF THE CLERK

NO. _____

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER, TERM, 1997

IN RE MRS. ELLA LOUISE STEWART WOOTEN,

Petitioner,

vs.

MISSISSIPPI, ET AL

Respondents.

ON PETITION FOR WRITS OF MANDAMUS

AND

PROHIBITION

TO

MISSISSIPPI SUPREME COURT

MRS. ELLA LOUISE STEWART WOOTEN
PRO SE OF RECORD
P. O. BOX 20015
JACKSON, MS 39289-0015
TELEPHONE: (601) 969-5655

145PP

QUESTIONS PRESENTED FOR REVIEW

1. I have had more than one attorney and not one argued for me, that my rights have been violated, and that appropriate compensation is required, if it pleases the Court, may I correct my mistakes made with **both** extraordinary writs?

2. Is it lawful for state officials to give my identity to my husband and his so-called present wife to form me as the natural father and an unfit mother and force my separation away from my children and home for child support to be against me so that my children will not feel joy, love and compassion to be with me as their legitimate mother?

3. Is it lawful for state officials to intercept my federal tax refund for Earned Income Credit and not have a certified withholding order from the chancery clerk against me?

4. What document with legal effect or legal force do I have from a Court to show that state

officials and others have been right and still are right to deprive me of my life with my children, personal and real property, reputation, and liberty?

5. Has my inability to say and to do the right thing in a timely manner, mean that I should not be heard now and my children and I are to stay in a degrading form and continue to be pushed to the edge of disgrace by state officials and others who have no concern for my life with my children?

6. Is statutory damages and interest to be assessed against me by a Court the same as child support payments that has never been certified against me by a Court?

7. As pro se of record, I am being required to think and act as an attorney; and, I failed many times to respect the Rules of the Court, will the Court accept my apology for lack of knowledge?

LIST OF PARTIES TO THE PROCEEDING IN THE COURT WHOSE JUDGMENT IS SOUGHT TO BE REVERSED

All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

The Honorable Mike Moore
Attorney General of Mississippi
450 High Street
Jackson, MS 39201
(601) 359-3680

The Honorable Kirk Fordice
Governor of Mississippi
P. O. Box 193
Jackson, MS 39205
(601) 359-3100

Smith's Sunbeam Bakery
Legal Department
2730 6th Street
Meridian, MS 39301
(601) 483-2236

Willie Ernest Wooten
Temporary Address
1977 Marshall Place
Jackson, MS 39213
(601) 362-7085

Denise McChelle Ratliff
Temporary Address
1977 Marshall Place
Jackson, MS 39213
(601) 362-7085

Postage Savers, Inc.
Mr. Charles Brady
P. O. Box 31175
Jackson, MS 39286
(601) 366-0072

TABLE OF CONTENTS

	Page
QUESTIONS PRESENTED FOR REVIEW	i
LIST OF PARTIES TO THE PROCEEDING IN THE COURT WHOSE JUDGMENT IS SOUGHT TO BE REVISED	iii
TABLE OF CONTENTS	v
APPENDICES	vii
TABLE OF AUTHORITIES	xii
STATEMENT OF JURISDICTION GROUNDS	xiii
CONSTITUTIONAL PROVISION, STATUTES AND STATUTORY REGULATIONS INVOLVED	xvi
STATEMENT OF THE CAUSE	1
1. Course of proceedings and disposition in Court below	1

TABLE OF CONTENTS (CONT'D):

Page

2. Statement of Facts 2

ARGUMENT 4

I. CONSTITUTIONAL STANDING 4

II. STATUTORY SCHEME GONE TOO MESSY 6

A. DO I OWE CHILD SUPPORT TO THE STATE ON BEHALF OF MY HUSBAND WHEN I AM THE CUSTODIAL PARENT AND THE CHANCERY CLERK HAS NEVER MADE A CERTIFIED ORDER FOR CHILD SUPPORT TO BE A DISTINCT OBLIGATION IMPOSED BY A COURT UPON ME? 7

B. DID CONGRESS INTEND THAT THE U.S. SUPREME COURT WOULD BE THE LAST RESORT TO DETERMINE WHAT IS OR IS NOT A DEPRIVE OF FEDERAL RIGHTS? 25

CONCLUSION 28

APPENDICES:

		Page
A.	OPINION OF THE MISSISSIPPI COURT OF APPEALS, DECIDED SEP. 17, 1996	APP. 1
B.	ORDER OF THE MISSISSIPPI COURT OF APPEALS ON MOTION FOR REHEARING, DECIDED AND FILED DEC. 3, 1996	APP. 16
C.	ORDER OF THE MISSISSIPPI COURT OF APPEALS ON MOTION FOR ASSESSMENT OF STATUTORY DAMAGES AND INTEREST AND MOTION TO EXPEDITE, DECIDED AND FILED DEC. 3, 1996	APP. 17
D.	ORDER OF THE MISSISSIPPI COURT OF APPEALS ON MOTION FOR THE COURT TO REVIEW FOR THE TREBLE OF THE ASSESSMENT OF STATUTORY DAMAGES AND INTEREST AND ALL COST OF APPEAL AGAINST THE APPELLANT, FILED JAN. 14, 1997	APP. 18
E.	ORDER OF THE MISSISSIPPI COURT OF APPEALS ON MOTION FOR THE COURT TO MODIFY STYLED-CAUSE TO EXPEDITE THE EXECUTION OF ORDER TO LOWER COURT BEFORE STATUTE OF LIMITATIONS RUNS OUT, FILED JUL. 1, 1997	APP. 20

APPENDICES (CONT'D):

Page

F. FINAL JUDGMENT OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI JACKSON DIVISION, FILED MAY 28, 1997 APP. 22

G. ORDER OF THE SUPREME COURT OF MISSISSIPPI ON PETITION SEEKING LEAVE TO SEEK AN UNTIMELY CERTIORARI REVIEW AND MOTION TO EXPEDITE, FILED OCT. 27, 1997 APP. 24

H. JUDGMENT OF THE CHANCERY COURT, FIRST JUDICIAL DISTRICT, HINDS COUNTY, JUDGMENT ADOPTING THE FAMILY MASTER'S REPORT, FILED OCT. 4, 1994 APP. 26

I. CORRECTED ORDER FOR WITHHOLDING OF THE CHANCERY COURT, FIRST JUDICIAL DISTRICT, HINDS COUNTY, DATED OCT. 4, 1994 APP. 29

J. FINAL JUDGMENT OF THE CHANCERY COURT, FIRST JUDICIAL DISTRICT, HINDS COUNTY, GRANTING SETTLEMENT, FILED JUL. 16, 1993 APP. 32

K. FINAL JUDGMENT OF THE CHANCERY COURT, FIRST JUDICIAL DISTRICT, HINDS COUNTY, GRANTING DIVORCE, FILED JUN. 21, 1991 APP. 39

APPENDICES (CONT'D):

		Page
L.	ELLA LOUISE STEWART ALREADY INVALID MARRIAGE TO EDWARD MARCELLE STANLEY, DATED FEB. 9, 1968	APP. 50
M.	TEMPORARY ORDER OF THE CHANCERY COURT, FIRST JUDICIAL DISTRICT, HINDS COUNTY, FILED OCT. 30, 1990	APP. 53
N.	WILLIE ERNEST WOOTEN BIGAMY'S MARRIAGE TO DENISE MCCHELLE RATLIFF, DATED JUN. 24, 1991	APP. 56
O.	WILLIE AND ELLA WOOTEN, MARITAL ESTATE, DATED OCT. 1, 1976	APP. 57
P.	JUDGMENT IN THE COUNTY COURT, FIRST JUDICIAL DISTRICT, HINDS COUNTY, DATED JAN. 23, 1992	APP. 59
Q.	ORDER IN THE COUNTY COURT, FIRST JUDICIAL DISTRICT, HINDS COUNTY, DATED APR. 10, 1992	APP. 61

APPENDICES (CONT'D):

		Page
R.	LETTER TO THE EDITOR CLARION-LEDGER, NEWSPAPER, DATED SEP. 11, 1996	APP. 63
S.	AFFIDAVIT TO REMOVE TENANT, FILED JAN. 31, 1992	APP. 66
T.	AMENDED ORDER IN THE COUNTY COURT, FIRST JUDICIAL DISTRICT, HINDS COUNTY, DATED MAY 7, 1992	APP. 68
U.	STATE'S ACCOUNTING AGAINST ELLA L WOOTEN, DATED AUG. 7, 1997	APP. 70
V.	LEGAL NOTICE OF WILLIE ERNEST WOOTEN BIGAMY MARRIAGE AND JUDGMENT, PUBLISHED AUG. 19, AUG. 26, AND SEP. 2, 1992	APP. 71
W.	STATUES AND REGULATIONS	APP. 74
X.	LETTER FROM IRS, SENDING TAX REFUND FOR EARNED INCOME CREDIT, DATED MAR. 30, 1998	APP. 78

APPENDICES (CONT'D):

		Page
Y.	LETTER FROM IRS, SENDING TAX REFUND FOR EARNED INCOME CREDIT TO STATE'S CHILD SUPPORT AGENCY, DATED APR. 20 1998	APP. 81
Z.	CREDIT BUREAU REPORT BY STATE AGENCIES, DATED JUL. 22, 1997	APP. 84
1.	WITHHOLDING ORDERS ON DOCKET, 142, 602, DATED JAN. 14, 1997	APP. 86
2.	LETTER FROM UNITED STATES SUPREME COURT CLERK, DATED JUN. 1, 1998	APP. 87
3.	STATE TAX ASSESSMENT, DATED APR. 16, 1998	APP. 89
4.	DEFINITION OF WRITS	APP. 92
5.	MISSISSIPPI EMPLOYMENT SECURITY COMMISSION, CHILD SUPPORT NOTIFICATION, DATED JAN. 14, 1998	APP. 95
6.	RECORD OF ELLA L WOOTEN EARNINGS AND DEDUCTIONS, DATED JUN. 12, 1998	APP. 97

TABLE OF AUTHORITIES

	Page
THE BIBLE (KJV):	
1 Kings 3: 24-27	21
STATUTES:	
U.S.C. XIV Amendment	2, 4, 5, 6, 7, 27
28 U.S.C. §1654(a)	29
28 U.S.C. §2254(a)	30
42 U.S.C. §1983	2, 4, 5, 6, 7, 30
Civil Rights Act 1817	29

STATEMENT OF JURISDICTIONAL GROUNDS AND REFERENCE TO OFFICIAL REPORTS OF OPINIONS

1. The Hinds County Chancery Court of the First Judicial District, Jackson, Mississippi entered a final decision in this cause on June 21, 1991 and entered another final decision in this cause on July 16, 1993 and entered a judgment adopting the Family Master's report on October 4, 1994 and entered a Corrected Order for Withholding on October 4, 1994. Mississippi statutory law gives the chancery court the power to grant divorces on various grounds and to provide for custody, financial support and maintenance under Miss Code Ann §§93-5-1, -7,-11,93-11-65 (1972). Collection of child support payments and delinquency procedures are statutory in nature, id. §§43-19-35,93-11-105. The Mississippi Court of Appeals has appellant jurisdiction over appeals to determine whether

or not the rulings and judgment of the court below upon the case as made were correct under Miss Code Ann §71-5-31. My notice of appeal was filed on October 18, 1994.

2. The Mississippi Court of Appeals rendered its opinion (non publication and may not be cited) on September 17, 1996, affirming the judgment below and assessing statutory damages and interest against me, which left the State empty-handed for child support payments in chancery court.

3. The Mississippi Court of appeals entered an order denying my Motion for Re-hearing on December 3, 1996; and, entered another order denying my Motion for assessment of those damages and interest and to expedite on December 3, 1996; and, entered another order denying my Motion for Review of damages against me on January 14, 1997; and, entered another order in favor of the Mississippi Department of Human Services and denied my Motion to modify-styled cause on July 1, 1997.

4. The U. S. District Court for the Southern District of Mississippi, Jackson Division, rendered a final judgment with the Opinion and Order, directing me back to state court in this case on May 28, 1997.

5. The Mississippi Supreme Court entered an order denying my petition seeking leave to seek an untimely certiorari review by its Court and a motion to expedite my appeal on October 27, 1997.

6. Jurisdiction is conferred upon this Court by 28 U.S.C. §1651(a).

CONSTITUTIONAL PROVISIONS, STATUTES, ORDINANCES AND REGULATIONS INVOLVED IN THIS CASE

STATUTES:

Due Process Clause of the Fourteenth Amendment and the Civil Rights Act (42 § U.S.C. 1983); Civil Rights Act 1817; Extraordinary writs (mandamus and prohibition) 28 § U.S.C. 1651(a); Habeas Corpus (28 § U.S.C. 2254(a)

REGULATIONS:

§1983 that regulates no concern for human life.

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER, TERM, 1997

IN RE MRS. ELLA LOUISE STEWART WOOTEN,

Petitioner,

vs.

MISSISSIPPI, ET AL

Respondents.

PETITION FOR WRITS OF MANDAMUS AND PROHIBITION

STATEMENT OF THE CASE

1. Course of proceeding and disposition in Court below. This is an appeal from the decision of the Mississippi Court of Appeals

affirming a decision for the First Judicial District of the Hinds County Chancery Court of Jackson, Mississippi for child support and granting a decision in favor of the Mississippi Department of Human Services on a citizenship suit involving XIV Amendment of the Civil Rights Act (42 U.S.C. §1983), for statutory damages and interest to be assessed against me.

2. Statement of Facts. State officials have made a mess of my life with my children; and, I don't think it is right for me to be the way state officials want me to be to my children. And it is hard for me to give up and let state officials continue to push my children and me further to disgrace. This is my **fifth** petition to the Court. I have read books on typesetting and on typing so that this petition complies in all respects with the Rules of the Court. A federal rental agency is currently paying 100% of my rent and one-third of my utilities while my permanent and legal residence is currently being occupied by natural parents, my husband

and his so-called present wife, with all of the incidents of the valid marriage belonging to my husband and me. An approved divorce form between state officials to change me from the legitimate mother to the natural father was later made clear, by awarding my estate to my husband and imposing child support and visitation rights upon me. The Mississippi Child Support Agency on behalf of my husband has intercepted my federal tax refund for Earned Income Credit (EIC). The Court of Appeals affirmed the lower court judgment and assessed statutory damages and interest against me and has followed it with a mandate to the chancery clerk. The chancery clerk has never entered a certified withholding order against me and has failed to do as the Court of appeals suggests. Now, the Mississippi Child Support Agency has my federal tax refund for three years, and has not released a penny with interest for child support to be a distinct obligation ordered by a court and owed by me. I went from one court to another to get my

children and home and those damages left unattended by the Mississippi Child Support Agency. Later, I learned, the chancery clerk has done nothing to agree with statutory damages and interest to be the same as child support payments in favor of the state's child support agency because those damages are not an award in Mississippi chancery courts and are not the same kind of payments as child support. I am the legitimate mother to my children; and, I am not pleased with what state officials want me to be to my children, the natural father and the unfit mother.

ARGUMENT

I. CONSTITUTIONAL STANDING. I have grown accustomed to be interesting in what is real and practical rather than what is imaginary or theoretical. And I have no trouble stating the obvious, which can be seen visible. The law on standing requires that I must prove that I was deprived of federal right by those acting under color of state law and that I must prove

that those acting under color of state law deprived me of rights secured by Fourteen Amendment, Section I, which is known as the law of the land. Were it not for standing requirements, the chancery clerk could do what the Court of Appeals suggests. The chancery clerk has done nothing to make the Mississippi Child Support Agency "corrected order for withholding" (apps. "I" and "1") valid for the accomplishment of all things involved for statutory damages to be an award in its court for the Mississippi Child Support Agency. Standing rules preclude presentation of real questions to the Court. The State must be actually injured in order to present the question. In this case, there was no such injury to the State. The Mississippi Child Support agency has left those damages unattended and is currently intercepting my federal tax refund for EIC (apps. "U" and" Y"), claiming to be owed by me and has reported me to the credit bureau (app. "Z") and has notified me about taking my driver's license

from me. All of this is currently going on now. Yet, I am being left with a normal payroll check, receiving Advanced Earned Income Credit (app. "6").

II. A STATUTORY SCHEME GONE TOO MESSY. Generally, term used to describe claims arising under the **due process clause** of the **Fourteenth Amendment** and the **Civil Rights Act** (42 U.S.C. §1983) for which I am seeking damages or other proper remedy because the state has violated my civil rights. Factors to be considered in determining whether the state is significantly involved in a statutorily authorized private conduct for purposes of constituting "state action" nexus essential to action grounded on violation of equal protection of laws or deprivation of due process of law include the source of authority for private action, whether the state is so entwined with the regulation of private conduct as to constitute state activity, whether there is meaningful state participation in the activity, and whether there

has been delegation of what has traditionally been state function to private persons; because test is not simply state involvement, but rather significant state involvement, satisfaction of one of such criteria may not necessarily be determinative to finding of state actior.. There is no practical distinction between "state action" under the Fourteenth Amendment and the requirements for "under color of state law" under the Civil Rights Act. (app. "W").

The chancery clerk total failure to carry out the Court of Appeals mandate gives rise to two important questions which I present by this appeal.

A. DO I OWE CHILD SUPPORT TO THE STATE ON BEHALF OF MY HUSBAND WHEN I AM THE CUSTODIAL PARENT AND THE CHANCERY CLERK HAS NEVER MADE A CERTIFIED ORDER FOR CHILD SUPPORT TO BE A DISTINCT OBLIGATION IMPOSED BY A COURT UPON ME? At my request on June 11, 1991, the chancellor came and heard the two-day cause. When the chancellor got ready to give his decision

on June 12, 1991, I wrote it down. Chancellor W. O. Dillard said as follows:

> If I hear any outburst from anyone in my courtroom, I will have you lockup. And he requested from my husband's attorney that evidence (marriage license, app. "L") of my already invalid marriage to another man. The chancellor examined that marriage license and said: What do you attorneys expect from me? All I can do for that marriage is make it invalid. Now that takes care of that marriage for the Plaintiff. The chancellor requested from my husband's attorney, the temporary order (app. "M") that had taken my children from me and placed them in the house with my husband and his girlfriend. The chancellor said: The attorneys have made a mess on the cause. This Court would have never put the children in the house with the husband and the girlfriend. They might do that in California or Florida, but never in Mississippi. And I would never do that as long as I am on the bench. The wife is to be at the house with her children. The wife is to consider the house for her and her children. Child support is 20%. The parties are joint and equal owners of any and all personal property. My husband's attorney requested the chancellor to grant my husband permission to marry Miss Ratliff. The chancellor said: This Court cannot grant this man permission to marry that woman. If this Court do that, this Court would be wrong. I don't know of another Court. There is a reason

> why there has been no divorce of that marriage. It just might be, there is no need for one. My husband's attorney requested the chancellor to make a decision on the house. The chancellor examined the deed (app. "O") and said: The parties owned the property jointly, and the attorneys are not to get involve with any decision to sell the property. The wife is not to be at 912 Dalton Street when court resumes, before school [1] starts. Plaintiff should seek counseling.

After the chancellor gave his opinion, I learned what had not been heard from the chancellor's mouth (app. "M"), had not been done by the chancellor. I thought it would have been highly impossible for the two attorneys to continue to say and do as they pleased. And I had expected an apology from the two attorneys.

On June 21, 1991, an approved divorce form (app. "K") was signed and filed without the state's seal, containing phrases and words of art with four forms. The natural parents form was a made to believe marriage with the attorneys

---

[1] Written June 12, 1991 by Mrs. Ella Wooten.

to Willie and Ella Wooten valid marriage and their legitimate children. That form was another marriage with all the incidents of being already invalid from the beginning. That the form was a future invalid marriage with all the incidents of being valid. The withholding orders form was a force of separation marriage, by changing Willie and Ella gender-based.

Defined terms and diagrams of forms to preserve space are as follows:

Willie Ernest Wooten	WEW
Ella Louise Stewart Wooten	ELSW
Bernard C. Jones, Jr.	BCJJ
Lance Butler	LB
Proper Name(s)	PN
Common Name(s)	CN
Attorney For Plaintiff	BCJJ
Attorney For Defendant	LB
PLAINTIFF/Plaintiff	PLA/Pla
DEFENDANT/Defendant	DEF/Def
Final Judgment of Divorce	FJOD
say/said	not decreed
do/done	decreed

Inter Form

Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def
Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def

Outer Corners

Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def
Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def

Inter Horizontal Form

Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def
Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def

Diagonal Left To Right Rectangle

Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def
Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def

Diagonal Right To Left Rectangle

Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def
Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def

Inter Vertical Form

Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def
Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def

Cross-Like Form

Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def
Pla	WEW	Pla	WEW
ELSW	Def	ELSW	Def

App. "K" shows only two parties on the cause

as follows:

Styled Cause Form

WEW	PLA
ELSW	DEF

And introduction form was a form that made it legally impossible for WEW to be a Pla with ELSW and for ELSW to be a Def with WEW to any of the forms to the FJOD as follows:

Introduction Form

Pla	WEW
ELSW	Def

The FJOD (app. "K") did not show PN for ELSW and WEW beyond introduction form and to the signature line. And there was more than one form for describing Pla without having to show "the Pla". And there was more than one form for describing Def (Def, the natural mother, the Def, that Def, that the Def, and a live-in-woman). The FJOD directed attention to Temporary Order (app. "M") and ELSW was to "that form" as "that ELSW" with visitation

rights; and WEW was to "that the form" as "that the Pla WEW" with custody, minor children, Jackson Public Schools, and the parties.

Introduction form to FJOD was a rectangle form with four right angles. BCJJ was to first right angle with both parties as Pla for a form to "natural parents form" and WEW was to third right angle with both CN for a form to "that the form" as follows:

BCJJ Right Angle 1	
Pla	WEW
ELSW	

WEW Right Angle 3	
Pla	WEW
	Def

And ELSW was to second right angle with both CN for a form to "that form" and LB was to fourth right angle with both parties as Def for a form to "the withholding orders" as follows:

ELSW Right Angle 2	
Pla	
ELSW	Def

LB Right Angle 4	
	WEW
ELSW	Def

And outer corners, to rectangle form to right angles, was a diagonal copy to inter form; and,

inter horizontal form shows a form for ELSW as Pla and WEW as Def and inter vertical form shows a form for WEW as Pla and ELSW as Def as follows:

Rectangle Form To Right Angles

Pla	WEW	Pla	**WEW**
ELSW	**Pla**	**WEW**	Def
Pla	**ELSW**	**Def**	WEW
ELSW	Def	ELSW	**Def**

There was only one form to rectangle form to right angles to fit its form for that description to cross-like form; and, it was repositioned PN to diagonal left to right rectangle and repositioned CN to inter form and repositioned PN to outer corners as follows:

Rectangle Form To Introduction Form

Pla	**ELSW**	Pla	**ELSW**
WEW	**Def**	WEW	Def
Pla	ELSW	**Pla**	**ELSW**
WEW	Def	**WEW**	Def

There were two withholding orders to the FJOD cause on June 21, 1991 (app. "1"). One withholding order was a valid withholding order

for a horizontal form for BCJJ as Pla and LB as Def to the "natural parents" form and for ELSW as Pla and WEW as Def to the "withholding orders" form. And the other withholding order was an invalid withholding order for a vertical form for WEW as Pla to "that the form" with subsequent bigamy marriage to another woman, Denise McChelle Ratliff (DMR) as Def (app. "N")[2] because WEW was not legally divorced from ELSW and for ELSW as Def to "that form" with an already invalid marriage to another man, Edward Marcelle Stanley (EMS) as Pla (app. "L")[3] because the three-day waiting period was not waived by a judge.

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[2]§93-1-5. Consequences of invalid marriage. A bigamous marriage continues to be a void marriage. §93-5-25; §93-7-1.

[3]§93-7-3(c). Causes for annulment of marriages. Failure to comply with the provisions of sections §93-1-5 (b).

As PN was not shown for ELSW and WEW to the signature lines, the FJOD (app. "K") was with two forms for Pla and two forms for Def. The FJOD was a diagonal left to right rectangle as a horizontal form and was a diagonal right to left rectangle as a vertical form as follows:

Approved Form On The Cause Of The Parties

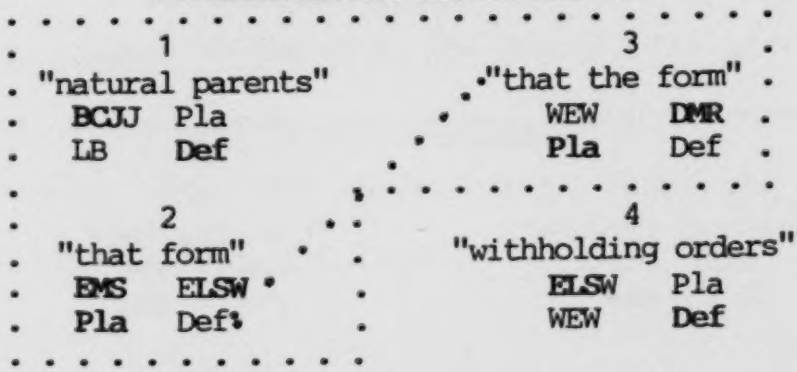
1		3	
"natural parents"		"that the form"	
BCJJ	Pla	WEW	**DMR**
LB	**Def**	**Pla**	Def

2		4	
"that form"		"withholding orders"	
EMS	**ELSW**	**ELSW**	Pla
Pla	Def	WEW	**Def**

As the "natural parents" form was not done for granting a divorce and Decreed part "I" was not said for paying attorneys' fees and cost of the FJOD action, BCJJ form was to do a divorce, from "that form" to the "natural parents" form to "that the form", Decreed part "B", by granting EMS a divorce from LB on the ground that the Def DMR was already married to one EMS for EMS to pay BCJJ attorney's fees and for ELSW to pay

LB attorney's fees (app. "P") for WEW and DMR to pay the cost of the FJOD action, and formed a messy triangle divorce, when WEW and ELSW was never to the "natural parents" form and was never together to "that form" and "that the form", which was BCJJ form 1 for Pla as follows:

BCJJ ATTORNEY FOR PLA FORM 1



And as the "withholding orders" form did not maintain WEW and ELSW with the same CN as styled on the cause and Decreed part "I" was not said for paying attorneys' fees and cost of the FJOD action, LB form was to do two invalid marriages, Decreed part "A", by putting WEW and ELSW valid marriage in the middle of two invalid marriages for EMS to pay BCJJ attorney's

fees and for ELSW to pay LB attorney's fees (app. "P") for WEW and DMR to pay the cost of the FJOD action, and formed messy triangle illegal force of separation, when WEW and ELSW did not maintain the same CN as styled on the cause to the "withholding orders" form and was never together to "that form" and "that the form", which was LB form 1 for Def as follows:

LB ATTORNEY FOR DEF FORM 1

1	3
"natural parents"	"that the form"
BCJJ Pla	WEW DMR
LB Def	Pla Def
2	**4**
"that form"	"withholding orders"
EMS ELSW	ELSW Pla
Pla Def	WEW Def

And LB form 2 was to deprive me as the legitimate mother for me to pay attorney's fees for an illegal divorce for WEW to be the custodial parent with my gender-based, which was LB form 2 for Def as follows on page 19:

LB ATTORNEY FOR DEF FORM 2

1	3
"natural parents"	"that the form"
BCJJ Pla	WEW DMR
LB Def	Pla Def
2	**4**
"that form"	"withholding orders"
EMS ELSW	ELSW Pla
Pla Def	WEW Def

And BCJJ form 2 was to deprive WEW as the legitimate father for WEW to pay the cost for an illegal action for me to be the non-custodial parent with WEW gender-based, which was BCJJ form 2 for Pla as follows:

BCJJ ATTORNEY FOR PLA FORM 2

1	3
"natural parents"	"that the form"
BCJJ Pla	WEW DMR
LB Def	Pla Def
2	**4**
"that form"	"withholding orders"
EMS ELSW	ELSW Pla
Pla Def	WEW Def

Both attorneys, BCJJ and LB to the FJOD,

fought like cats and dogs in creating a domestic battle to mess up my life with my children with an **invalid marriage and a divorce** that are never the same in reference to a marriage for DMR to have my children, home, and husband and for WEW to have my sexuality, children, and home and for me to have WEW sexuality to be an unfit mother and the natural father to my children for WEW to make a bigamy marriage to DMR (app. "N") and assist to a domestic battle to further destroy my life with my children. And, had I not taken precautions to protect my children from harm and to save my life, my life would have been taken and recognized among news median as "another domestic killing in the city," and the attorneys, BCJJ and LB, misconduct on the cause to interfere with my life and rights to be with my children, would have gone unnoticed and my husband, WEW, bigamy marriage to DMR would have grown valid and WEW and DMR would have ended up with my children and my estate wrongly and my children would have never known the truth about who

their real mother was.

The Settlement (app. "J"), I had another attorney, Melvin B. Cooper, MSB #8352, and he took and kept my $1500 and refused to argued for me and withdrew from the cause. I requested the chancery court to let me represent myself. The Settlement was filed on July 16, 1993 and was with the Mississippi Seal. And it was crystal clear my husband live-in-woman, DMR, had custody of our children to the FJOD as follows:

> . . . . That Willie Earnest Wooten is a fit and suitable person to have custody of the two (2) minor children of the parties. . . .

According to 1 Kings 3:24-27 (KJV) (app. "W"), there were two women arguing over one child. I did not want my children to grow apart and not know each others. The chancellor took joint-custody left with WEW and DMR for DMR to exercise her illegal custody to the FJOD, by directing at me as the real mother who showed real love for my children as the custodial parent

as follows:

> Unless otherwise specified herein the custodial party shall have final authority on all decisions affecting the care of said children.

And, I have specific rights by my name and it agrees with the verb, "are" as follows:

> ORDERED AND ADJUDGED that custody of the two (2) minor children herein namely, William Barnard Wooten and Kenya Darene Wooten are hereby awarded (to Willie Earnest Wooten with reasonable rights of visitation awarded) to Ella Louise Stewart Wooten and specific rights of visitation awarded to Ella Louise Stewart Wooten.

I intentionally failed to pay child support on August 1, 1993 because I knew I would be stupid if I did. On August 13, 1993, an invalid withholding order was entered for me (app. "1"). Not only did the chancellor take joint custody from WEW and DMR, the chancellor also took joint-tenants away from my husband and DMR, and DMR was then and still is interfering with my

rights to be with my children at my home, by having no interest to ELSW and WEW property with WEW bigamy marriage to DMR (app. "N") and with my name still on the deed (app. "O") and I have not made a quit-claim deed to WEW as follows:

> FURTHER ORDERED AND ADJUDGED that WEW is hereby awarded the exclusive use and possession of the home owned by ELSW and WEW located at 1977 Marshall Place, Jackson, Mississippi 39213 so long as either of the minor children herein are living with him. WEW is to continue to pay the house note on said home so long as he is living there. . . .

There was only one thing to the Settlement that made the FJOD an execution form of malicious and willful misconduct among state officials to destroy my life and home with my children as follows:

> HUSBAND is to have children with him on Father's Day. . . . WIFE to give HUSBAND 30 days notice of her intended summer visitation. . . . The HUSBAND and the WIFE shall exert every reasonable effort to maintain open communication between the children, . . . and each of the parties are to maintain a policy

> of medical insurance for the benefit of the minor children and are to share medical, dental, optical and drug expenses of the minor children.

And the Settlement sent a signal to state officials and others to stop adding to the destruction of my life and home with my children, by showing: (1) ELSW and WEW valid marriage was recognized; (2) state's officials fraud, misconduct and misrepresentation was recognized as the attorneys were already elevated to the role of the judge to the FJOD; (3) I was denied and deprived to have my life with my children by not being legally divorced from WEW; and, (4) EMS and DMR did not belong to the FJOD and the Settlement cause.

I failed to sign the Settlement (app. "J") because I did not want to assist my bigamy husband to elevate his freedom further in illegal activities. And I now know that I have not agreed to pay child support; and, I have not given up any of my rights to be as the FJOD suggests, to pay child support and have visitation to

be the natural father to my children for others to think and feel like I am an unfit mother.

B. DID CONGRESS INTEND THAT THE U. S. SUPREME COURT WOULD BE THE LAST RESORT TO DETERMINE WHAT IS OR IS NOT A DEPRIVE OF FEDERAL RIGHTS? The state's judgment (app. "H") was for $1,000.00 in back child support. The state's child support agency has taken more than the judgment was originally for and has not gone back to court to get more than the $1,000.00. The state's child support agency sent its "corrected withholding order" (app. "I") to my was then employer, Postage Savers. My was then employer refused to honor it. The state's child support agency then intercepted my federal tax refunds for EIC (apps. "U" and "Y") and has interfered with me taking my children and grandchildren to Disney World in Florida and having repairs done on my car. The state's child support agency refused to give me copies of the canceled checks to show that they are indeed assisting my husband to feel like and

think that I owe him child support. My children always calling me to do this and that for them. It is now 1998 and the state's child support agency has not released a penny with interest and is holding my federal tax refund for EIC in a trust fund and is still taking my federal tax refund (apps. "U" and "Y"). I am having to go into my savings to buy and do things for my children, while the state has me under a degrading color of law to take every thing away from me.

Because of state officials fraud, misconduct, and misrepresentation in creating a domestic battle to force my separation away from my children and marital home and burden me with child support, the chancery clerk has failed to provide a certified withholding order for child support to be a distinct obligation imposed by a court upon me and has failed to follow the Court of Appeals mandate for statutory damages and interest to be the same as child support payments to be assessed against me. Yet, my

rights to be with my children at my marital home is being interfered by another woman, Denise McChelle Ratliff, and is being awarded to my husband with child support as I am the custodial parent with specific rights (apps. "S", "J", "U", and "Y"). My rights to my federal tax refund for EIC is being taken and held in a trust fund by the State's child support agency and leaving me with a normal pay check as I am the custodial parent with specific rights (apps. "U", "Y", and "6"). My rights to enroll my children in school and guide them in activities is being denied by school officials as I am the custodial parent with specific rights (app. "J"). My rights to my husband medical, dental, life, and retirement benefits is being provided to Miss Ratliff as I am still lawfully married to Willie Ernest Wooten (apps. "J" and "V"). My rights to a better paying job and to credit is being denied as state officials made unlawful judgments and reported me to the credit bureau (apps. "P", "Q", and "Z"). My rights to be a woman on my

former job is being denied as I am an unfit employee for having to suffer from female problem and my rights to 100% unemployment benefits is being denied as I am the custodial parent with specific rights (app. "5").

As the custodial parent to my children and still the legitimate wife to WEW, I welcome the opportunity on the domestic issue (created by state officials) whether statutory damages and interest to be assessed against me is the same as child support payments for the state's child support agency to be taking (app. "R"), when I am currently being left with a normal payroll check with EIC (app. "6") and have not been held in jail.

CONCLUSION

I know I can go and get my children and not return them back to my marital estate with my husband and his so-called present wife, by leaving Jackson. And I don't think it would

be right for me to run with my children and allow my children to grow up and not know who they really belong with. I would be adding to state officials and others already mess, by making an even greater mess. Instead, I come to the Court because the FJOD was a bad form and I am not pleased with what state officials and others want me to be to my children, and all other judicial remedies have failed and are inadequate; and, I am without other means of redress for the wrong about to be inflicted by the act of the inferior tribunal.

As pro se of record, I am being required to think and act as an attorney; and, I failed many times to respect the Rules of the Court. Will the Court accept my apology for lack of knowledge? There are two extraordinary writs -- namely, mandamus and prohibition by 28 U.S.C. §1651(a). I have chosen both extraordinary writs for this petition because it is difficult for me to make a choice between the two writs (app. "4"). And both Civil Rights Act of 1871

and habeas corpus statue provide access to federal forum for claims of unconstitutional treatment at hands of state officials, but they differ in their scope and operation. Habeas corpus is known as the great writ and is for seeking release of my confinement as prisoner at bar by hands of state officials and for attacking my validity of my children custody by 28 U.S.C. §2254(a). Whereas civil rights action for damages pursuant to 42 U.S.C. §1983 attacks unconstitutional treatment and provides monetary compensation for such treatment.

As the only real and legitimate mother God made to my children, I come to the Court as best as I know how, and I pray for the Court to restore my life with my children at my marital home -- by putting an end to all the hatred and pain that are formed and directed at me by state officials and others to mess up my whole life with "state action under color of law" -- and make it possible for my children to feel joy, love, and compassion to be with me.

MRS. ELLA LOUISE STEWART WOOTEN

BY Mrs. Ella Louise Stewart Wooten

MRS. ELLA LOUISE STEWART WOOTEN

PRO SE OF RECORD

P. O. BOX 20015

JACKSON, MS 39289-0015

TELEPHONE: (601) 969-5655

APPENDIX A

DECIDED SEP 17 1996

IN THE COURT OF APPEALS OF THE STATE

OF MISSISSIPPI

No. 94-CA-01099 COA

THIS OPINION IS NOT DESIGNATED FOR PUBLICATION AND MAY NOT BE CITED, PURSUANT TO M.R.A.P. 35-B

TRIAL JUDGE: HON. W.O. DILLARD

COURT FROM WHICH APPEALED: HINDS CO. CHANCERY COURT

ATTORNEY FOR APPELLANT: ELLA WOOTEN, PRO SE

ATTORNEY FOR APPELLEES: HERMINE PEEL

NATURE OF THE CAUSE: CHILD SUPPORT ARREARAGE

TRIAL COURT DISPOSITION: ORDER FOR WITHHOLDING WAS APPROPRIATE AND ARREARAGE IN CHILD SUPPORT AFFIRMED.

BEFORE FRAISER, P.J., KING, AND PAYNE, JJ. PAYNE, J., FOR THE COURT:

The domestic relations appeal involves various issues but centers on one question: Was the order for wage withholding regarding Ella's child

support arrearage proper? We believe that it was correct and affirm the chancery court in all respects.

FACTS

Ella and Willie Wooten were ceremonially married in 1976. At that time, Ella was apparently also married to another man. Ella and Willie subsequently had two children. In 1986, they separated, and in 1990 Willie filed for divorce. In June 1991, the Hinds County Chancery Court signed a final judgment of divorce granting Willie a divorce from Ella on the ground that Ella had been married to another man at the time of Ella and Willie's ceremonial marriage.

Various motions and cross-motions were subsequently filed and in July 1993, the court held a hearing on a motion to modify. The court entered a final judgment awarding custody of the children to Willie, visitation rights to Ella, and child support to be paid by Ella to Willie. The judgment also finalized certain property settlement arrangements between the

parties. In March 1994, the Mississippi Department of Human Services, on behalf of Willie, filed a delinquency notice regarding Ella's child support arrearage of $700.00. Ella filed a motion to stay and hearings by a family master followed. The resultant family master's report found that a previous order for wage withholding was appropriate, and that Ella owed $1,000.00 in delinquent child support payments as of May 19, 1994. Ella filed an objection in chancery court, and at a subsequent hearing she agreed to pay $100.00 per month in child support. The court entered a judgment denying the relief that Ella requested and approving the family master's report. Ella now appeals that judgment, raising eight issues. In May 1995, the Department of Human Services moved to dismiss. In August 1995, the Mississippi Supreme Court determined that the motion should be considered with the merits of the case.

Here, we decline to discuss: (1) the timeliness under the rules of the grounds for

certain of Ella's allegations; (2) the difficulty in identifying Ella's citation to authority; and (3) the preservation of Ella's allegations for purposes of appeal. We will therefore address her issues on the merits.

ISSUES AND ANALYSIS

I. WAS THE FINAL JUDGMENT OF DIVORCE BETWEEN ELLA AND WILLIE VALID? Ella argues that the divorce granted to Willie was void because the actual judgment was not entered on the last day of the hearing. Willie argues that the judgment was properly entered according to the Mississippi Rules of Civil Procedure and chancery court rules.

Uniform Chancery Court Rules 5.01 through 5.06 contemplate that a judgment must be entered following the date of the hearing(s). Unif. Chan. Ct. R. 5.01-5.06. In the present case, the court heard the divorce complaint on February 7 and June 11 and 12, 1991. The court signed and filed the final judgment, which contained no reference to the hearing dates, on June 21, 1991.

We believe that the judgment's omission of the hearing dates, and the fact that the judgment was not entered on the last day of the hearing have no bearing on the validity of the judgment itself. This issue therefore lacks merit.

II. DOES THE LANGUAGE OF THE FINAL JUDGMENT FOR DIVORCE AFFECT THE VALIDITY OF THE JUDGMENT IN THIS CASE? Ella contends that the language within the divorce judgments voids the judgment. Willie frames this issue as Ella's contention that omission of the word "the" from the signature lines of the final judgment of divorce voids the judgment. However, his argument consists of how the judgment's language follows the Mississippi Rules of Civil Procedure and chancery court rules. Specifically, he believes that the final page of the judgment follows: (1) court rules requiring counsel who composes the judgment to submit it to opposing counsel for criticism of form only and (2) forms within the appendix to the rules of civil procedure for the attorney signature lines. Uniform Chancery

Court Rules require that counsel who is directed to draw the judgment must submit it to opposing counsel for criticism as to form only. Unif. Chan. Ct. R. 5.04. We believe that the judgment language properly follows this rule. Moreover, we believe that any omission of the word "the" from the signature lines of the judgment is harmless and irrelevant to the judgment's validity.

III. **WAS WILLIE'S MARRIAGE TO ANOTHER WOMAN SUBSEQUENT TO THE ENTRY OF ELLA AND WILLIE'S FINAL JUDGMENT OF DIVORCE RELEVANT TO THE JUDGMENT THAT FOUND ELLA IN ARREARS REGARDING CHILD SUPPORT PAYMENTS?** Ella's argument regarding this issue seems somewhat buried within her pro se brief. However, we agree with Willie's characterization of her argument regarding this issue--that is, her belief that Willie's marriage subsequent to his divorce from Ella somehow is relevant to whether or not Ella owes him child support payments.

The Mississippi Rules of Appellant Procedure

state that a party has a lawful right to file a notice of appeal within thirty days following the date of entry of a judgment or order. M.R.A.P. 4(a). Here, Ella has certainly failed to appeal from her final judgment of divorce, and any attempt relating her divorce to her obligation to pay Willie child support is clearly irrelevant. Moreover, any complaint as to Willie's marriage to another woman following the final judgment of divorce between Ella and Willie is likewise irrelevant to the judgment that found her in arrears for child support payments.

IV. DOES A GRAMMATICAL ERROR IN THE FINAL JUDGMENT OF DIVORCE JUSTIFY VOIDING THE JUDGMENT AND RELIEVING ELLA OF CHILD SUPPORT PAYMENTS? Ella appears to argue that a grammatical error regarding a singular noun and a plural verb within the judgment of divorce voids the judgment. Willie believes that Ella contends that singular noun/subject "custody" and the plural verb "are," both part of the

language of the divorce judgment, actually give her custody of the children. Willie also believes that Ella says that she should not have to pay child support because she should have custody of the children due to the grammatical error. Willie argues that although a grammatical error appears, it does not void the judgment. He believes that the intent of the judgment was clear--Willie was to have custody of the children, and Ella was to pay child support.

The Mississippi Rules of Civil Procedure state that clerical mistakes in judgments and errors from oversight or omission may be corrected by the court or upon motion of any party. M.R.C.P 60. The prescribed procedure may be used only to make the judgment entered speak the truth and to correspond to the judgment rendered, and not to make it say something other than that originally pronounced. **id.** cmt.

Here, the judgment stated that "custody of the 2 minor children...are [sic] hereby awarded to Willie Ernest Wooten with reasonable rights

of visitation awarded to Ella Louise Stewart Wooten." Although neither the court nor either party has requested any clerical mistake be corrected under Rule 60, we believe that a grammatical error does exist which does not affect the judgment rendered. That judgment clearly gave Willie both custody of the children and rights to child support payments from Ella. The error within the judgment regarding custody is harmless, particularly in light of the court's clear intent, and grammatically correct language, that Ella was to be awarded reasonable visitation rights. The court would certainly not award visitation rights to the party who was also to have custody of the children. The court clearly gave Willie the rights to both custody and child support payments. The grammatical error within the divorce judgment does not void the judgment.

V. WERE THE ATTORNEYS WHO REPRESENTED THE PARTIES IN THE PREVIOUS PROCEEDING INEFFECTIVE AND UNETHICAL? Ella contends that the attorneys who appeared on behalf of the parties in previous

court proceedings were both ineffective and unethical. She apparently filed complaints with the Mississippi Bar against certain individuals. However, we believe that this issue is properly resolved by another authority, namely the Bar itself, and is irrelevant to the issue of whether Ella owes Willie past due child support payments.

VI. DO VARIATIONS WITHIN THE CAPTIONS OF THE PLEADINGS, MOTIONS, ORDERS, AND JUDGMENTS IN THE LOWER COURT RENDER THE FINAL JUDGMENT VOID? Ella argues that the variations in the captions of the pleadings briefs, motions and judgments that have been filed since this cause began require the final judgment to be declared void.

The record indicates that only three parties have ever been involved in this litigation: Ella, Willie, and the State of Mississippi on behalf of Willie. Each party has alternately been labeled as either plaintiff, defendant, respondent, movant, appellant, or appellee, depending on the particular designation of a

specific party at any given time. Moreover, division two the Chancery Court of the First Judicial District of Hinds County has consistently retained jurisdiction over this case and the civil action number has consistently been No. 142,602. If any error in the captions ever existed, we believe it was harmless and does not affect **any** final judgment in this case. Ella's contentions regarding the changing captions, the vertical, horizontal, and crisscross forms, the backward "L" shape, and the "recteetretor" forms do not affect **any** final judgment of the chancery court, and certainly are not relevant to the issue of child support arrearage.

VII. DID THE HINDS COUNTY CHANCERY COURT HAVE JURISDICTION OVER THE PARTIES AND OVER THE SUBJECT MATTER? Ella contends that the chancery court lacked jurisdiction over the parties and the subject matter in order to properly rule on the issues.

Mississippi statutory law clearly allows

the chancery court the power to grant divorces on various grounds and to provide for a minor child's custody, financial support, and maintenance. Miss. Code Ann. §§ 93-5-1, -7,-93-11-65 (1972). Proper jurisdiction lies in the chancery court of the county in which the divorce defendant resides, if that defendant resides in this State. Miss. Code Ann. §§ 93-5-11 (1972). Moreover, collection of child support payments and delinquency procedures are statutory in nature. id. §§ 43-19-35,93-11-105.

In the present case, jurisdiction over the parties and subject matter at all times vested in the chancery court of the First Judicial District of Hinds County. Ella and Willie have both resided in Hinds County from the time of their marital separation until the time of this appeal. This argument is without merit.

VIII. SHOULD WILLIE'S MOTION TO DISMISS, STRIKE, OR CLARIFY BE CONSIDERED ALONG WITH THE MERITS OF THE CASE? Willie argues that his motion to dismiss, to strike, or to clarify, and for

other relief should be determined in his favor because Ella's contentions are frivolous, confusing, and time-barred. He believes that the only appealable issue is the question of child support arrearage. He states that Ella admitted that she did not pay the child support, and that she was willing to pay it, and that the judgment clearly ordered her to pay. The Mississippi Supreme Court entered an order passing on Willie's motion and determined that it should be considered along with the merits of the case. We believe that Willie's motion is now moot because we have considered the substance of Ella's appellate issues and have determined that none of her issues have merit.

Willie also requests that double costs, attorney's fees, and damages be awarded to the State of Mississippi on his behalf under Mississippi Rule of Appellate Procedure 38 because he believes Ella's appeal is frivolous. However, on October 18, 1994, Ella filed a notice of appeal regarding the judgment entered against her on

October 4, 1994, that found her $1,000.00 in arrears in her child support payments. The Mississippi Rules of Appellate Procedure allow a party thirty days to file an appeal from the date of entry of an adverse judgment. M.R.A.P. 4. Regardless of how disjointed and confusing her appellate brief may have been, and regardless of whether any appeals of her final divorce and custody judgments were time-barred, she did timely file her appeal regarding the $1,000.00 arrearage judgment. As such, the validity of the arrearage judgment was the only question to be decided by this Court. The record indicates no error in the chancery court's determination that Ella owed the child support arrearage. Although Ella's extraneous issues surrounding her complaint that she does not owe child support may be frivolous, we do not find that the entire appeal is frivolous. Therefore, we do no believe that double cost, attorney's fees, or damages are warranted in this case.

CONCLUSION

We believe that the court's order for wage withholding for child support payments was proper. All other issues raised have no merit. Ella has simple failed to show that the chancery court was in error in determining that she owed Willie for past due child support. We therefore affirm the chancery court's judgment regarding Ella's child support arrearage.

THE JUDGMENT OF THE HINDS COUNTY CHANCERY COURT IS AFFIRMED. STATUTORY DAMAGES AND INTEREST ARE TO BE ASSESSED AGAINST THE APPELLANT. ALL COSTS OF THIS APPEAL ARE ASSESSED TO THE APPELLANT.

FRAISER, C.J., BRIDGES, AND THOMAS, P.JJ., BARBER, COLEMAN, DIAZ, KING, MCMILLIN, AND SOUTHWICK, JJ., CONCUR.

APPENDIX B

DECIDED AND FILED DEC 03 1996

IN THE COURT OF APPEALS OF THE STATE

OF MISSISSIPPI

No. 94-CA-01099 COA

ORDER

This matter is before the Court on the Appellant's motion for rehearing. After careful and thorough consideration, the Court finds that the motion should be denied.

THEREFORE, IT IS ORDERED that the Appellant's motion for rehearing be, and hereby is, denied.

SO ORDERED, this the 20th day of November 1996.

/s/

JOHN J. FRAISER, JR., CHIEF JUDGE

FOR THE COURT

APPENDIX C

DECIDED AND FILED DEC 03 1996

IN THE COURT OF APPEALS

OF THE STATE OF MISSISSIPPI

NO. 94-CA-01099 COA

ORDER

This matter is before the Court on appellant's Motion for Assessment of Statutory Damages and Interest and Motion to Expedite. After due consideration the Court find that appellant's motions should be denied.

THEREFORE, IT IS ORDERED, that appellant's Motions for Assessment of Statutory Damages and Interest and Motion to Expedite be, and hereby are, denied.

SO ORDERED, This the 20th day of November 1996.

/s/

MARY LIBBY PAYNE, JUDGE

FOR THE COURT

APPENDIX D

FILED JAN 14 1997

IN THE COURT OF APPEALS OF THE STATE

OF MISSISSIPPI

No. 94-CA-01099 COA

ORDER

This matter came before the Court on Appellant's Motion for the Court to Review for the Treble of the Assessment of Statutory Damages and Interest and All Cost of Appeal Against the Appellant, filed by Wooten.

This Court finds that the motion is not well taken and should be denied.

IT IS THEREFORE ORDERED that the Appellant's Motion for the Court to Review for the Treble of the Assessment of Statutory Damages and Interest and All Cost of Appeal Against the Appellant be, and hereby is, denied.

SO ORDERED, this the 3rd day of January 1997.

/s/

MARY LIBBY PAYNE,

JUDGE FOR THE COURT

APPENDIX E

FILED JUL 01 1997

IN THE COURT OF APPEALS OF THE STATE

OF MISSISSIPPI

No. 94-CA-01099 COA

ORDER

This matter came before the Court on Motion for the Court to Modify Styled-Cause to Expedite the Execution of Order to the Lower Court Before Statute of Limitations Runs Out, filed by Wooten.

This Court finds that a motion like this in unknown to the law, not in conformity with the decision of this Court which found in favor of appellee, is not well taken and should be denied.

IT IS THEREFORE ORDERED that the Motion for the Court to Modify Styled-Cause to Expedite the Execution of Order to the Lower Court Before Statute of Limitations Runs Out be, and hereby is denied.

SO ORDERED, this the 16th day of June 1997.

/s/

MARY LIBBY PAYNE, JUDGE

FOR THE COURT

APPENDIX F

FILED MAY 28 1997

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

JACKSON DIVISION

ELLA LOUISE STEWART WOOTEN PLAINTIFF

vs. CIVIL ACTION NO. 3:97CV105

MISSISSIPPI BAR ASSOCIATION

MISSISSIPPI BOARD OF HIGHER EDUCATION

MISSISSIPPI DEPARTMENT OF HUMAN SERVICES

CHILD SUPPORT DEPARTMENT AND DIVISION OF

ECONOMIC

MISSISSIPPI EMPLOYMENT SECURITY COMMISSION

STATE OF MISSISSIPPI DEFENDANTS

FINAL JUDGMENT

In accordance with the Opinion and Order dated this day, granting the Motions of Defendants to Dismiss or, in the Alternative, for Summary Judgment, the Court hereby dismisses without prejudice the entirety of Plaintiff's action

against all named Defendants.

SO ORDERED this the 28th day of May, 1997.

/s/ William H. Barbour, Jr.

UNITED STATES DISTRICT JUDGE

APPENDIX G

FILED OCT 27 1997

IN THE SUPREME COURT OF MISSISSIPPI

No. 94-CA-01099 COA

ORDER

This matter has come before a panel of this Court consisting of Lee, C.J., Pittman, and Mills, J.J. on the Appellant's petition seeking leave to seek an untimely certiorari review by this Court and a motion to expedite her appeal, and the Court finds and orders as follows:

The pleading filed by the Appellant entitled "Review in the Supreme Court Following Decision by the Court of Appeals for Statutory Damages and Interest to be Awarded to One Party on the Cause that Should be Resolved by the Supreme Court" was not timely filed, and no good cause for untimeliness has been shown. The petition should therefore be denied. The motion to expedite is therefore moot and should be dismissed.

IT IS THEREFORE ORDERED that the Appellant's pleading entitled "Review in the Supreme Court Following Decision by the Court of Appeals for Statutory Damages and Interest to be Awarded to One Party on the Cause that Should Be Resolved by the Supreme Court" is denied.

IT IS FURTHER ORDERED that the Appellant's "Motion for the Supreme Court to Expedite the Cause Pending" is dismissed.

SO ORDERED, this the 22nd day of October, 1997.

/s/ Michael P. Mills

FOR THE COURT

APPENDIX H

FILED OCT 04 1994

IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI

FIRST JUDICIAL DISTRICT

STATE OF MISSISSIPPI PLAINTIFF

vs. COURT FILE NO. 142,602

ELLA L WOOTEN DEFENDANT

SSN: 426-98-7051

JUDGMENT

This matter was brought before the Court on the Plaintiff's Notice of Delinquency, the Master's Report, and the Defendant's Report. The Court finds, orders and adjudges as follows:

1. The Court has jurisdiction over the parties and the subject matter.

2. A hearing was duly conducted in this cause by the Family Master for Hinds County, Mississippi.

3. The Family Master, pursuant to said hearing, entered a Master's Report in this cause which found the Defendant to be in arrears in

child support payments in the sum of $1000.00 as of May 19, 1994 and set forth the terms for Defendant to purge said contempt and other matters. A copy of the Master's Report is attached hereto as Exhibit "A" and is hereby incorporated into this Judgment. A second Master's Report was entered on July 11, 1994.

4. The Court finds that the relief requested within Defendant's Report should be denied, and any motions and objections contained therein overruled and dismissed with prejudice.

5. The findings of fact and conclusions of law contained in the Master's Reports entered on May 19, 1994 and July 11, 1994 are hereby approved by the Court and Judgment is hereby entered in accordance therewith.

6. Execution and appropriate process should issue for the collection of all amounts and the accomplishment of all things set forth in said Master's Report.

SO ORDERED AND ADJUDGED this the 3rd day of October, 1994.

/s/ W O Dillard

CHANCELLOR

PRESENTED TO THE COURT BY:

YOUNG, SCANLON, SESSUMS & ASSOCIATES, LTD

BY: /s/ Hermine Peel

HERMINE PEEL, ATTORNEY

ATTORNEY FOR PLAINTIFF

MISSISSIPPI CHILD SUPPORT BLDG.

939 N. PRESIDENT ST.

JACKSON, MISSISSIPPI 39202

TELEPHONE; (601) 965-1200

BAR NO: 4090

J-H1-MRC.7L

APPENDIX I

FILED OCT 04 1994

IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI

FIRST JUDICIAL DISTRICT

DEPARTMENT OF HUMAN SERVICES PLAINTIFF

vs. CIVIL ACTION FILE NO: 142,602

ELLA L WOOTEN

SSN: 426-98-7051 DEFENDANT

CORRECTED ORDER FOR WITHHOLDING

In accordance with the Judgment entered herein, the Court Orders as follows:

1. This Order for Withholding shall take effect immediately and is directed to any Payor, person or entity employing or paying income to the Obligor. ELLA STEWART WOOTEN, as defined in Sections 9311-010, et. seq., of the Mississippi Code of 1972, as amended.

2. Any payor, person or entity employing or paying income to the Obligor is hereby directed to:

A. Withhold from the earnings of the

Defendant $100.00 per month for current child support, beginning August 1, 1993.

B. Withhold an ADDITIONAL Five Dollars ($5.00) per month as an administrative fee to be paid to the Department of Human Services.

C. If an arrearage is specified in the Notice of Delinquency, Judgment, Affidavit of Accounting or other pleading attached hereto withhold from the earnings of the Defendant an additional $ N/A per month until said arrearage is paid in full.

D. Remit the sum total of the funds set forth above to:

The Hinds County Department of Human Services

Post Office Box 11677

Jackson, Mississippi 39283-1677

E. Note the following information on each payment: Defendant's Name: ELLA STEWART WOOTEN Custodial Parent's Name: WILLIE ERNEST WOOTEN Hind County Chancery Court File NO.: 142,602

The Defendant's employer shall not withhold in excess of the amount allowed pursuant to

Section 303 (B) of the Consumer Credit Protection Act, being 15 USCA 1673, as amended, and the Defendant is advised of his rights pursuant to "Attachment A".

SO ORDERED AND ADJUDGED this the 3rd day of October, 1994.

/s/ W O Dillard

CHANCELLOR

PRESENTED TO THE COURT BY:

/s/ Hermine Peel

HERMINE PEEL, STAFF ATTORNEY

DEPARTMENT OF HUMAN SERVICES

POST OFFICE BOX 1167

JACKSON, MISSISSIPPI 39283-1677

TELEPHONE: (601) 364-7492

FAX: (601) 364-7475

BAR NO: 4090

APPENDIX J

FILED JUL 16 1993 (SEAL)

IN THE CHANCERY COUNT OF THE FIRST JUDICIAL

OF HINDS COUNTY, MISSISSIPPI

ELLA LOUISE STEWART (WOOTEN) PLAINTIFF

vs. NO. 142,602

WILLIE EARNEST WOOTEN DEFENDANT

FINAL JUDGMENT AWARDING CUSTODY OF CHILDREN, VISITATION RIGHTS, CHILD SUPPORT AND PROPERTY SETTLEMENT

THIS CAUSE having come on for hearing on July 7, 1993, in a regular term of Court, and the Court finding that it has full jurisdiction over both the parties and the subject matter finds that Willie Earnest Wooten is a fit and suitable person to have custody of the two (2) minor children of the parties namely, William Barnard Wooten born April 1, 1984, and Kenya Darene Wooten born December 20, 1982. Ella Louise Stewart Wooten is to have reasonable and specific visitation rights with the minor children. Ella

Louise Stewart Wooten is to pay child support for the support of the minor children to Willie Earnest Wooten beginning August 1, 1983, in the sum of $50.00 per month per child and she is to furnish to Willie Earnest Wooten no later than February 1st each year a copy of her W-2 Form to show proof of her income and deductions for the previous year so that Ella Louise Stewart Wooten can pay 20% of her adjusted gross income for child support to Willie Earnest Wooten, but no less than $50.00 per month per child for child support. In the event child support should be adjusted, the adjusted child support should be paid beginning March 1st of each year. The court cost herein are to be paid by Willie Earnest Wooten. Honorable Dewayne Thomas acted as guardian ad litem for the minor children herein, having been appointed by the Court. Willie Earnest Wooten is awarded the exclusive use and possession of the home owned by the parties located at 1977 Marshall Place, Jackson, Mississippi 39213, so long as the minor children

reside with him at that address. Each of the parties herein are to maintain a policy of medical insurance for the benefit of the minor children in the event such medical insurance is offered through their employer. Each party is to pay for one-half of any uninsured, reasonable and necessary medical, dental, optical and drug expenses of the minor children. It is therefore

ORDERED AND ADJUDGED that custody of the two (2) minor children herein namely, William Barnard Wooten and Kenya Darene Wooten are hereby awarded to Willie Earnest Wooten with reasonable rights of visitation awarded to Ella Louise Stewart Wooten and specific rights of visitation awarded to Ella Louise Stewart Wooten as follows, to-wit:

a. Each Christmas beginning at 3:00 p.m. on Christmas Day until 6:00 p.m. on New Years Days;

b. On Mother's Day of each year (HUSBAND is to have children with him on Father's Day of each year);

c. On alternate Thanksgivings beginning with the year 1994, she is to pick up the children on Wednesday afternoon at 6:00 p.m. and return them at 6:00 p.m. on Sunday following Thanksgiving;

d. On alternate Easters beginning at 6:00 p.m. on Saturday immediately prior to Easter until 6:00 p.m. on Easter Day beginning on Easter weekend of 1994 and every even numbered year thereafter. HUSBAND is to have the children with him on Easters of odd numbered years;

e. For a 4-week period during the summer each year with WIFE to give HUSBAND 30 days notice of her intended summer visitation, said 4-weeks being June 15 of each year at 9:00 a.m. until June 29 each year at 6:00 p.m. and again on July 15 at 9:00 a.m. until July 29 at 6:00 p.m.; and

f. On the 1st and 3rd weekends of each month beginning Friday at 6:00 p.m. until Sunday at 6:00 p.m.

The HUSBAND and the WIFE shall exert every reasonable effort to maintain open communication

between the children and the other parent and to foster a feeling of affection between said children and the other parent, and the parties shall consult with each other with regard to the children's education, extracurricular activities, illnesses, operations, and other matters of similar importance affecting said children, whose well-being, education and development shall at all times be a paramount consideration of both parties. The HUSBAND and WIFE shall keep each other informed of extracurricular activities, whether they are school, church or otherwise, related to their children so that both parties shall have an opportunity to attend and participate. Unless otherwise specified herein the custodial party shall have final authority on all decisions affecting the care of said children. It is

FURTHER ORDERED AND ADJUDGED that Ella Louise Stewart Wooten pay child support to Willie Earnest Wooten for the support of the minor children in an amount of 20% of her adjusted gross income,

but no less than $50.00 per month per child beginning August 1, 1993, and a like amount on the first day of each month thereafter until the minor children reach their majority, marry or become self-supporting. Ella Louise Stewart Wooten is to furnish to Willie Earnest Wooten her W-2 Forms each year no later than February 1st so that in the event any adjustment in child support is necessary, that it shall take effect beginning March 1st of each year. It is

FURTHER ORDERED AND ADJUDGED that Willie Earnest Wooten is hereby awarded the exclusive use and possession of the home owned by the parties located at 1977 Marshall Place, Jackson, Mississippi 39213 so long as either of the minor children herein are living with him. Willie Earnest Wooten is to continue to pay the house note on said home so long as he is living there and he is to pay all court cost in this cause. Willie Earnest Wooten is to also pay to Dewayne Thomas the sum of $100.00 as his fee for acting as guardian ad litem for the minor children

herein. It is

FURTHER ORDERED AND ADJUDGED that each of the parties herein are to maintain a policy of medical insurance for the benefit of the minor children in the event such insurance is offered through their employer, and each of the parties herein are to pay one-half of any uninsured, reasonable and necessary medical, dental, optical and drug expenses of the minor children.

ORDERED AND ADJUDGED this the 16th day of July, 1993.

/s/ WODillard

CHANCELLOR

SUBMITTED BY:

/s/ Ross Barnett, Jr.

ROSS R. BARNETT, JR., ATTORNEY

FOR WILLIE EARNEST WOOTEN

_____

ELLA LOUISE STEWART WOOTEN

/s/ by some one else Dewayne Thomas

DEWAYNE THOMAS, GUARDIAN AD LITEM

OF THE MINOR CHILDREN

APPENDIX K

FILED JUN 21 1991

IN THE CHANCERY COUNT OF THE FIRST JUDICIAL

OF HINDS COUNTY, MISSISSIPPI

WILLIE ERNEST WOOTEN PLAINTIFF

vs. NO. 142,602 D-2

ELLA LOUISE STEWART, also known as

ELLA LOUISE STEWART WOOTEN DEFENDANT

FINAL JUDGMENT OF DIVORCE

CAME ON FOR HEARING on the Complaint of the Plaintiff, Willie Ernest Wooten, for Divorce against Ella Louise Stewart, a/k/a Ella Louise Stewart Wooten, Defendant, and the Court, having jurisdiction of the parties and subject matter, having heard testimony and having carefully considered the evidence, finds as follows:

1. Plaintiff is an adult, bona-fide resident citizen of the First Judicial District of Hinds County, Mississippi, residing therein at 1917 Marshall Place, Jackson, Mississippi 39213, and has been such for more than six months

preceding the commencement of this suit. Defendant is an adult resident of the First Judicial District of Hinds County, Mississippi whose post office and street address is 912 Dalton Street, Jackson, Mississippi 39203.

2. Plaintiff and Defendant are both African-American descent and engaged in a ceremonial marriage in Jackson, Mississippi on or about March 27, 1976. There were two children born as a result of this ceremonial marriage, namely, Kenya Darene Wooten, born December 20, 1982, and William Barnard Wooten, born April 1, 1984 and Plaintiff is the natural father of said minor children and Defendant is the natural mother of said children.

3. Plaintiff and Defendant lived together as husband and wife from the time of the ceremonial marriage aforesaid until on or about May 1986, at which time the parties separated in the First Judicial District of Hinds County, Mississippi. The Parties hereto have not lived together and have not cohabited as husband and

wife since the date of their separation aforesaid.

4. That at the time of the ceremonial or pretended marriage between the parties on March 27, 1976 the Defendant was already married to one Edward Marcelle Stanley and that the subsequent marriage between the parties hereto is invalid.

5. That Plaintiff is entitled to and should be granted, a divorce on the ground that the Defendant was married to another person, namely Edward Marcelle Stanley, at the time of said ceremonial or pretended marriage in accordance with § 93-5-1 of the Mississippi Code of 1972, as amended.

6. That Plaintiff should be awarded all household goods and furnishings now in his possession and owned by him individually and that Defendant is awarded all household goods and furnishings now in her possession and owned by her individually.

7. That the parties are joint and equal owners of all personal property acquired by the

parties jointly and both enjoy an equal right to the possession of the same.

8. That the parties are joint and equal owners as to the property commonly known as 1977 Marshall Place, Jackson, Mississippi and are each entitled to the rights of joint-tenants therein. No other determination is made herein as to the possession of said real property.

9. That the Defendant is currently undergoing treatment for a personality disorder and that the Plaintiff is currently living with a woman without the benefit of marriage. The Court specifically finds that it would be inappropriate to award exclusive permanent custody to either party at this time and therefore awards both parties joint custody of said minor children to be exercised by the parties in accordance with the best interests of said children. The non-custodial parent shall pay unto the custodial parent child support in the amount of 20% of such non-custodial parent's adjusted gross income. Such payments to commence on July 1, 1991 and

continue thereafter until said minor children reach the age of 21 years, is emancipated, or until further order of this Court. The Court will retain jurisdiction as to child support and custody until not later than September 1, 1991 at which time the child support and custody provisions herein shall be reviewed.

10. The non-custodial parent shall have the following rights of visitation:

a. Every second and fourth weekend commencing at 6 o'clock p.m. on Wednesday and continuing until 6 o'clock p.m. on the following Sunday. The non-custodial parent shall pick up said children at the residence of the custodial parent at the commencement of the visitation period and shall return the children to the residence of the custodial parent at the end of the visitation period;

b. Thanksgiving Day during the odd numbered years and Easter Day during the even numbered years;

c. Father's or Mother's day every year;

d. December 24, 25, and 26 from 1 o'clock p.m. to 7 o'clock p.m. in the even numbered years, and the week immediately preceding Christmas Day and ending at 1 o'clock p.m. on Christmas Eve in the odd numbered years;

e. The child's birthday from 1 o'clock p.m. to 7 o'clock p.m. during every year;

f. Four weeks during the summer holiday. The non-custodial parent is to give the custodial parent at least 15 days written notice of the dates he/she wishes to exercise his visitation; and,

g. At all other times which are mutually agreeable to the parties.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED as follows:

A. That at the time of the ceremonial or pretended marriage between the parties on March 27, 1976 the Defendant was already married to one Edward Marcelle Stanley and that the subsequent marriage between the parties hereto is invalid.

B. That Plaintiff is entitled to and is hereby granted, a divorce from Defendant on the ground that the Defendant was married to another person, namely Edward Marcelle Stanley, at the time of said ceremonial or pretended marriage in accordance with § 93-5-1 of the Mississippi Code of 1972, as amended.

C. That Plaintiff is awarded all household goods and furnishings now in his possession and owned by him individually and that Defendant is awarded all household goods and furnishings now in her possession and owned by her individually.

D. That the parties are joint and equal owners of any personal property acquired by the parties jointly and both enjoy an equal right to the possession of the same.

F. That the parties are joint and equal owners as to the property commonly known as 1977 Marshall Place, Jackson, Mississippi and are each entitled to the rights of joint-tenants therein. No other determination is made herein

as to the possession of said real property.

G. That the Defendant is currently undergoing treatment for a personality disorder and that the Plaintiff is currently living with a woman without the benefit of marriage. The Court specifically finds that it would be inappropriate to award exclusive permanent custody to either party at this time and therefore awards both parties joint custody of said minor children to be exercised by the parties in accordance with the best interests of said children. The non-custodial parent shall pay unto the custodial parent child support in the amount of 20% of such non-custodial parent's adjusted gross income. Such payments to commence on July 1, 1991 and continue thereafter until said minor children reach the age of 21 years, is emancipated, or until further order of this Court. The Court will retain jurisdiction as to child support and custody until not later than September 1, 1991 at which time the child support and custody provisions herein shall be reviewed.

H. The non-custodial parent shall have the following rights of visitation:

a. Every second and fourth weekend commencing at 6 o'clock p.m. on Wednesday and continuing until 6 o'clock p.m. on the following Sunday. The non-custodial parent shall pick up said children at the residence of the custodial parent at the commencement of the visitation period and shall return the children to the residence of the custodial parent at the end of the visitation period;

b. Thanksgiving Day during the odd numbered years and Easter Day during the even numbered years;

c. Father's or Mother's day every year;

d. December 24, 25, and 26 from 1 o'clock p.m. to 7 o'clock p.m. in the even numbered years, and the week immediately preceding Christmas Day and ending at 1 o'clock p.m. on Christmas Eve in the odd numbered years;

e. The child's birthday from 1 o'clock p.m. to 7 o'clock p.m. during every year;

f. Four weeks during the summer holiday. The non-custodial parent is to give the custodial parent at least 15 days written notice of the dates he/she wishes to exercise his visitation; and,

g. At all other times which are mutually agreeable to the parties.

I. That each parties shall be responsible for their respective attorney's fees and that the parties share equally the costs of this action.

SO ORDERED, ADJUDGED, AND DECREED this the 21st day of June, 1991.

/s/ WODillard

CHANCELLOR

APPROVED AS TO FORM ONLY:

/s/_____

BERNARD C. JONES, JR., MSB # 16863

ATTORNEY FOR PLAINTIFF

1102 W. WOODROW WILSON DRIVE

JACKSON, MISSISSIPPI 39213

601-969-5703

/s/_____

LANCE BUTLER, MSB # 04465

ATTORNEY FOR DEFENDANT

106 SOUTH PRESIDENT STREET, SUITE 106

JACKSON, MS 39201

601-353-2575

APPENDIX L

STATE OF MISSISSIPPI

MISSISSIPPI STATE BOARD OF HEALTH

OFFICE OF PUBLIC HEALTH STATISTICS

VITAL RECORDS

STATISTICAL RECORD OF MARRIAGE 02134

MISSISSIPPI STATE BOARD OF HEALTH

GROOM

Full Present Name Edward Marcelle Stanley

Date of Birth April 21, 1948 Color or Race Negro

Usual Residence (street address) 61 Dupont St.

City Pascagoula State Miss

Occupation None

Kind of Business

Where Born Jackson Co., Miss.

Number of Other Marriages None

Last Marriage (if any) Ended by

Father's Full Name H. B. Stanley

Mother's Full Name Bernedette Taite

BRIDE

Full Present Name Ella Louise Stewart

Date of Birth March 7, 1949 Color or Race Negro

Usual Residence 1009 Frederic St

City Moss Point State Miss

Occupation Student

Kind of Business Jackson Co. Jr. College

Where Born Leake Co., Miss.

Number of Other Marriages None

Last Marriage (if any) Ended by

Father's Full Name Percy G. Stewart

Mother's Full Name Christine McMillan Mann

We hereby certify that the information concerning each of us is true and correct, to the best of our knowledge and belief.

/s/ Edward Marcelle Stanley Groom

/s/ Ella Louise Stewart Bride

/s/Sue Learelle Witness

CERTIFICATE OF PERSON PERFORMING THE CEREMONY

I hereby certify that Edward Marcelle Stanley and Ella Louise Stewart were joined in marriage by me in accordance with the laws of the State of Mississippi of Pascagoula in the county of Jackson State of Mississippi, the 10th day of

February 1968.

LICENSE ISSUED ON 2/9/ 1968 Book 108 Page 234

Jackson County

/s/ Rev. Rapheal F. Maggino

Pastor-St. Peter Apostle Church

1052 Telephone Rd, Pascagoula, Miss

APPENDIX M

FILED OCT 30 1990

IN THE CHANCERY COUNT OF THE FIRST JUDICIAL

OF HINDS COUNTY, MISSISSIPPI

WILLIE ERNEST WOOTEN PLAINTIFF

VS. No. 142,602 D/2

ELLA LOUISE STEWART, also known as

ELLA LOUISE STEWART WOOTEN DEFENDANT

TEMPORARY ORDER

CAME ON FOR HEARING on the Motion, ore Tenus, of the Plaintiff for certain emergency declaratory and temporary relief, and the Court, having carefully considered the same and finding that such relief should be granted, it is therefore,

ORDERED, ADJUDGED, AND DECREED as follows:

1. That the minor children herein, namely, Kenya Darene Wooten and William Barnard Wooten, are directed to attend Bradley Elementary School pending a final hearing herein and a final award of custody.

2. That the Plaintiff Willie Ernest Wooten

shall continue to have temporary custody of said minor children pending further order of this Court.

3. That Ella Louise Stewart Wooten shall continue to have temporary visitation with the minor children herein every first and third weekend beginning at 6 o'clock p.m. on Friday and ending at 6 o'clock p.m. on Sunday.

4. That the Jackson Public Schools be directed to register said children at Bradley Elementary School.

5. That the parties are directed to cooperate in carrying out this Order and not obstruct the operation of the same.

SO ORDERED, ADJUDGED, AND DECREED this the 30th day of October, 1990.

/s/ WODillard

CHANCELLOR

APPROVED AS TO FORM:

/s/

BERNARD C. JONES, JR.

ATTORNEY FOR WILLIE ERNEST WOOTEN

/s/

LANCE BUTLER

ATTORNEY FOR ELLA LOUISE STEWART (WOOTEN)

APPENDIX N

STATE OF MISSISSIPPI

CERTIFICATE OF MARRIAGE

RANKIN COUNTY

I, Philip H. Warren, Clerk of the Circuit Court of said County and State and Custodian of the Marriage Records thereof do hereby certify that the said Marriage Records show that on the 24th day of JUNE 1991

Book 68 Page No. 13

The Rites of Matrimony

were celebrated between

Mr. WILLIE ERNEST WOOTEN Age: 41 and

Ms. DENISE MCCHELLE RATLIFF Age: 36

By S. L. Spann

MINISTER

Given under my hand and Seal of said Court, this 30th day of September 1992

PHILIP WARREN Circuit Clerk

Delois Ore DC

APPENDIX O

BOOK 2402 Page 731

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, cash in hand paid; and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledge, the undersigned, ROBERT B. GANDY and wife, KATHERINE GANDY, do hereby sell, convey and warrant unto WILLIE EARNEST WOOTEN and wife, ELLA WOOTEN, as joint tenants with full rights of survivorship, and not as tenants in common, the land and property which is situated in the First Judicial District, Hinds County, Mississippi, described as follows, to-wit:

> Lot 515, Northwest Terrace, Part 1, a subdivision according to the map or plat thereof which is of record in the office of the Chancery Clerk of Hinds County, at Jackson, Mississippi, in Plat Book 19 at Page 24, reference to which is hereby made in aid of and as a part of this description.

IT IS AGREED and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, then the grantors agree to pay to said grantees or their assigns any deficit on an actual proration.

THIS CONVEYANCE is subject to those certain restrictive covenants recorded in the office of the Chancery Clerk of the County of Hinds, State of Mississippi, in Book 1306 at Page 607.

THIS CONVEYANCE is subject to any and all recorded building restrictions, right of ways, easements or mineral reservations applicable to the above described property.

WITNESS the respective hand and signature of the undersigned Grantor hereto affixed on this the 1st day of October, 1976.

/s/Robert B. Gandy

ROBERT B. GANDY

/s/Katherine K Gandy

KATHERINE GANDY

APPENDIX P

IN THE COUNTY COURT OF THE FIRST

JUDICIAL DISTRICT

OF HINDS COUNTY, MISSISSIPPI

J. LANCE BUTLER — PLAINTIFF

vs. — NO. 46-413

ELLA LOUISE STEWART WOOTEN — DEFENDANT

JUDGMENT

THIS MATTER having come on for hearing and the Court having jurisdiction of the parties and of the subject matter and finding that the Defendant has been properly served with process for the time and in the manner prescribed by law, and that this Court has found the Plaintiff, and therefore Plaintiff is entitled to judgment against the Defendant.

IT IS, THEREFORE, ORDERED AND ADJUDGED, that the Plaintiff does have judgment of, from and against the Defendant Ella Louise Stewart Wooten in the amount of $1,115.00, plus court costs of $51.50, for a total judgment of $1,166.50,

for all of which let execution issue.

ORDERED AND ADJUDGED, this the 23rd day of January, 1992.

/s/ Houston J. Patton

COUNTY JUDGE

Presented By:

/s/ J. Lance Butler

ATTORNEY FOR PLAINTIFF

APPENDIX Q

IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT

OF HINDS COUNTY, MISSISSIPPI

BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF
HIGHER LEARNING — PLAINTIFF

vs. — NO. 46-413

ELLA L. WOOTEN — DEFENDANT(S)

ORDER

Came on for hearing this day the motion of Plaintiff for Summary Judgment pursuant to Rule 56, Mississippi Rules of Civil Procedure, in the above styled and numbered case. The Court, having reviewed the pleadings and affidavits in this case, is of the opinion that Plaintiff's motion should be sustained.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Plaintiff, Board of Trustees of State Institutions of Higher Learning, have and recover from the Defendant (s), Ella L. Wooten the sum

of $55.16 as Principal and Prejudgment interest and the sum of not less than ~~$425.17~~ 212.68, as reasonable attorney fees, plus costs in the amount of $47.75 for a total judgment in the amount of ~~$520.00~~ 315.58, with legal interest in the amount of $8 percent per annum from and after this date for all of which let execution lie.

SO ORDERED AND ADJUDGED, THIS THE 10th day of April 1992.

/s/ Houston J. Patton

COUNTY JUDGE

SUBMITTED BY:

ALBERT D. MALONE

SPECIAL ASSISTANT ATTORNEY GENERAL

1540 DEPOSIT GUARANTY PLAZA

210 EAST CAPITOL STREET

JACKSON, MISSISSIPPI 39201

(601) 355-8115

STATE BAR NO. 1839

FORMERLY:20250

ATTEST A TRUE COPY

BARBARA DUNN, CIRCUIT CLERK

MAY 23, 1997

BY /s/ J. Wilson, CLK

APPENDIX R

LETTER TO THE EDITOR

THE CLARION-LEDGER

P. O. BOX 40

JACKSON, MISSISSIPPI 39205

FAX NUMBER: 961-7211

e-mail: letters @Jackosn.gannett.com

Appeared in the Clarion-Ledger Newspaper on Wednesday, September 11, 1996

Child support division using "degrading" means for funds

In an effort to gain control over other states for collecting child support from absent parents, the Division of Child Support Enforcement is degrading our state's dignity by pushing our state to the edge of disgrace, by not caring how child support is taken from absent parents and by not making or showing a difference to how child support is collected or is received from absent parents.

The state of Mississippi has been at the bottom for collecting child support from absent parents. The division was incorporated and has improved its rank among other states for collection child support from absent parents.

Most recently, Senate Bill 2070 was passed to revoke any kind of license held by any absent parent in Mississippi for not paying child support. And the division is required by federal law to report child support debts to the credit bureau and to tax refund agencies. It seems, the division has found a way to collect child support debts from absent parents who are self-employed.

However, the division is not only directing Senate Bill 2070, and child support debts to credit bureau and to tax refund agencies to absent parents, who are self-employed, but they are sending them to absent parents, receiving payroll checks from their employers.

The division seems to think of the techniques used for self-employed absent parents, all of those techniques can also be used for not self-employed absent parents, by bypassing employers with those absent parents on their payroll with a legitimate reason for not taking child support out of their employees' salaries and by leaving those absent parents with a normal paycheck.

Ella Louise Stewart Wooten

Jackson

APPENDIX S

FILED JAN 31 1992

AFFIDAVIT TO REMOVE TENANT

STATE OF MISSISSIPPI

HINDS COUNTY

The plaintiff's name address and telephone number are:

Name Ella Wooten

Street 912 Dalton

City & Zip Code Jackson, MS 39203

Telephone Number 366-0072 afternoon

Before me, the undersigned Justice Court Clerk in and for Hinds County, Mississippi, Ella Wooten, Landlord makes oath to the best of his knowledge and belief that Denise Ratliff (Wooten) Defendant tenants, after the expiration of their term, and without the permission of affiant, holds over and refuses to deliver possession of the following described property, to wit: 1977 Marshall Place, Jackson, MS 39213 is said County and State; that there is now due from

said Defendant the sum of $_____ rent and the necessary notice according to law has been given to terminate such tenancy, and that satisfaction of said rent cannot be obtained by distress of the goods, ware and chattels of the said tenant and the affiant demands;

COUNT ONE That the said Denise Ratliff (Wooten) be removed from the premises.

COUNT TWO That a money judgment for the rent now due in the amount of $_____ plus the rent to become due to the date of removal judgment, be rendered against the said tenant plus all cost in this cause to accrue.

/s/ Ella Wooten

Sworn to and subscribed before me, this the 31st day of January 1992.

/s/ D Bell

Hinds County Justice Court Clerk

$32.50 COURT COST

PAID BY PLAINTIFF

DATE 1-31-92 RECEIPT NO. 10405-23

APPENDIX T

IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT

OF HINDS COUNTY, MISSISSIPPI

BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF
HIGHER LEARNING — PLAINTIFF

vs. — NO. 38-1018

ELLA L. WOOTEN — DEFENDANT(S)

AMENDED ORDER

CAME on for hearing this day the motion of plaintiff for Summary Judgment pursuant to Rule 56, Mississippi Rules of Civil Procedure, in the above styled and numbered case. The Court, having reviewed the pleadings and affidavits in this case, is of the opinion that plaintiff's motion should be sustained.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Plaintiff, Board of Trustees of State Institutions of Higher Learning, have and recover from the Defendant, Ella L. Wooten, the sum of $1273.59 actual damages, with legal interest

in the amount of eight (8) percent per annum from and after this date, and the sum of $424.53 as reasonable attorney's fees, for a total Judgment in the amount of $1745.87, together with costs of court, for all of which let execution lie.

ORDERED AND ADJUDGED, on this, the 7 day of May, 1992.

/s/ CAC Henley

JUDGE

SUBMITTED BY:

BRANTLEY & MALONE, P.A.
SPECIAL ASSISTANT ATTORNEY GENERAL
1540 DEPOSIT GUARANTY PLAZA
210 EAST CAPITOL STREET
JACKSON, MISSISSIPPI 39201
(601) 355-8115

APPENDIX U

IRS CHECKS

AUGUST 07 '97 11:51 AM MISS. CHILD SUPPORT

08/07/97 FINANCIAL LOG INQUIRY (FLOG)

SOURCE: I IRS

REMARKS: 2316.78 OFFSET RECEIVED THROUGH IRS OFFSET COLLECT

COLLECT -DT: 01/31/97 EFTS-DT: 06/05/97 AMT: $ 2316.78

SOURCE: I IRS

REMARKS: 1940.07 OFFSET RECEIVED THROUGH IRS OFFSET COLLECT

COLLECT -DT: 09/01/95 EFTS-DT: 09/09/95 AMT: $ 1940.07

CK# COLLECT-DT 09/01/95 EFTS-DT: 09/09/95 $-2500.00

REMARKS: AMOUNT CONVERTED FROM PC FISCAL AND CONVERSION SYS

USER: M29 CO: 250 FNX: FLOG MODE: D ID: 603369327 A WOOTEN ELLA L PRD: 08 97 COMMAND:

APPENDIX V

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI

HINDS COUNTY

PASTE PROOF HERE

228 SUMMONS

CASE 142,602 D-2

SUMMONS

TO: Willie Ernest Wooten whose address is 1977 Marshall Place, Jackson, MS 39213.

You are hereby summoned to answer the Complaint of invalid Final Judgment of Divorce and Bigamy filed by Ella Stewart Wooten.

Please mail or hand deliver a written response to the Complaint to Hinds County Marriage License Department, Jackson MS 39201, Ella Stewart Wooten, P. O. Box 20015, Jackson, MS 39289, and the others mentioned in the complaint receiving a true and correct copy of the complaint.

Your response must be mailed or hand delivered

not later than thirty days after 19th day of August, 1992, which is the date of the first publication of this summons. If your response is not so mailed or delivered, a judgment by default will be entered for the relief demanded in the complaint.

August 19, 26, September 2, 1992.

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi, Hollie Barlow, an authorized clerk of THE CLARION-LEDGER, a daily newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

Date August 19, 1992

Date August 26, 1992

Date September 2, 1992

Number of Lines 34

Published 3 Times

Total $ 25.48

/s/Hollie Barlow

Authorized Clerk

of The Clarion-Ledger

SWORN to and subscribed before me the 18th day of February, 1993.

/s/Janet Boatner

Notary Public

(Seal)

My Commission Expires: Nov. 23, 1996

APPENDIX W

STATUES

The Holy Bible:

1 Kings 3:24-27 (KJV)

24 And the king said, Bring me a sword. And they brought a sword before the king.

25 And the king said, Divide the living child in two, and give half to the one, and half to the other.

26 Then spake the woman whose living child was unto the king, for her bowels yearned upon her son, and she said, O my lord, give her the living child, and in no wise slay it. But the other said, Let it be neither mine nor thine, but dive it.

27 Then the king answered and said, Give her the living child, and in no wise slay it: she is the mother thereof.

Amendment XIV:

Citizenship etc. Section 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

28 U.S.C:

§ 1651 (a). Writs

The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of the law.

28 U.S.C:

§ 2254(a). State custody; remedies in Federal courts

The Supreme Court, a Justice thereof, a circuit judge, or a district court shall entertain an application for a writ of habeas corpus in behalf of a person in custody pursuant to the judgment of a State court only on the ground that he is in custody in violation of the Constitution or laws or treaties of the United States.

42 U.S.C:

§ 1983. Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to

the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

REGULATIONS:

§1983 regulates statute with no regard for human life.

APPENDIX X

Department of the Treasury B 00933084

Internal Revenue Service

Holteville, N.Y. 11742

March 30, 1998

LETTER FROM IRS GRANTING EARNED INCOME CREDIT

Taxpayer Identification Number:

426-98-7051

Ella L Wooten

P. O. Box 20015

Jackson MS 39289-0015157

Tax Years Ended 1995 & 1996

Person to Contact:

Dale Uptin

516-447-4085 (Not toll free)

8:00 A.M. to 11:00 P.M. Mon. to Fri.

(Eastern Standard Time)

Dear Taxpayer:

Thank you for your response to our request for information related to the examination of

your federal income tax returns for the tax years shown above. Although we haven't completed our review of the information you sent us, we won't further delay any refund you may be due for tax year 1997. If you filed your 1997 tax return and are due a refund, we will issue it within four weeks.

We will let you know when we have completed our examination. Although we have issued your refund, if we determine you are not entitled to the Earned Income Credit and/or dependent exemption(s) you claimed, you may have to repay all or part of your tax year 1997 refund plus any additional amounts due for the tax years being examined.

If you have any questions about this letter, you may call the person whose name and telephone number are shown above. If the number is outside your local calling area, there will be a long-distance charge to you. If you prefer, you may write to us at the address shown at the top of this letter. Please include this letter with

your correspondence to help locate your account. You may want to keep a copy of this letter for your records.

Thank you for your cooperation.

Sincerely,

/s/Terry Perrino

Chief, Service Center

Examination Branch

APPENDIX Y

Department of the Treasury

Internal Revenue Service

Memphis, TN 37501

April 20, 1998

LETTER FROM IRS SENDING TAX REFUND TO

MISSISSIPPI CHILD SUPPORT AGENCY

Taxpayer Identifying Number: 426-98-7051

Form 1040A Tax Period: December 31, 1997

FOR ASSISTANCE FROM THE AGENCY THAT REFERRED YOUR DEBT TO US, YOU MAY WRITE TO:

DEPT OF HUMAN SERVICES

CHILD SUPPORT DEPARTMENT

P. O. BOX 352

JACKSON, MS 39205-0352

OR CALL: (601) 359-4500 LOCAL

(IRS NUMBERS ARE LISTED BELOW)

overpaid tax applied to another agency debt you owe NAFDC MS

We applied all or part of your overpayment to a debt another government agency says you

owe. We're required to do so by Section 6402(D) or (D) of the Internal Revenue Code. If you have any questions about whether you owe the debt, or you believe the agency took your refund in error. You must contact the agency whose address and telephone number are shown above. We can't determine if you owe the debt or what your current balance may be.

Although we transferred your overpayment as of the date of this notice, the local agency shown above may not receive the funds from their headquarters for about 4 weeks. If you need to contact the agency immediately, be sure to give them a copy of this notice. The local agency can verify the transfer with their headquarters. Social Security Number of the person owing the debt: 426-98-7051

Tax Statement

overpayment applied to your government

Debt: $1,037.00

Any overpayment remaining may be applied to another government debt, to your estimated tax,

or refunded. If we own you a refund, we will include any interest due you.

For refund information call:

1-800-829-1040

APPENDIX Z

CREDIT BUREAU REPORT BY STATE AGENCIES

July 22, 1997

Trans Union

P. O. Box 403

Springfield, PA 19064-0403

Trans Union File Number: 97FW2358003

Date This Report Printed: 07/22/97

Social Security Number: 426-98-7051

DOCKET #0001400881 CIRCUIT COURT STATE TAX LIEN

PLAINTIFF: S T C ENTERED: 09/92

AMOUNT: $163

DOCKET #00000140088 CIRCUIT COURT RELEASE LIEN

PLAINTIFF: S T C ENTERED: 09/92

AMOUNT: $275

PAID: 01/93

DOCKET #0000381018 CIRCUIT COURT CIVIL JUDGMENT

PLAINTIFF: BD OF TRUST HI ED ENTERED: 04/92

AMOUNT: $315

MSDHS/METSS #671868 OPEN ACCOUNT

CHILD SUPPORT

UPDATED 06/97 BALANCE: $900 INDIVIDUAL ACCOUNT

OPENED 02/94 PAY TERMS: MONTHLY $100

>PAST DUE: $900<

STATUS AS OF 06/97: PAID AS AGREED

>IN PRIOR 9 MONTHS FROM LAST UPDATE 6 TIMES 120 DAYS, 6 TIMES 90 DAYS LATE<

>MAXIMUM DELINQUENCY OF 120+ DAYS OCCURRED IN 10/96<

APPENDIX 1

CHANCERY COURT DOCKET INFORMATION FOR CASE G-142602

January 14, 1997 -- Seal By /s/P Walker

WITHHOLDING ORDERS ON DOCKET

06/21/91	ORDER FOR WITHHOLDING	VALID	966336*
06/21/91	ORDER FOR WITHHOLDING	INVALID	966338**
08/13/93	ORDER FOR WITHHOLDING	INVALID	1069349*
10/04/94	ORDER CORRECTED ORDER FOR WITHHOLDING		1141209*

*ELLA LOUISE STEWART WOOTEN

**WILLIE ERNEST WOOTEN

APPENDIX 2

SUPREME COURT OF THE UNITED STATES

OFFICE OF THE CLERK

WASHINGTON, DC 20543-0001

June 4, 1998

WILLIAM K. SUTER — AREA CODE 202

CLERK OF THE COURT — 479-3011

LETTER FROM UNITED STATES SUPREME COURT CLERK RETURNING MY PETITION

Ella L. S. Wooten

P. O. Box 20015

Jackson, MS 39289

RE: Ella L. S. Wooten v. Mississippi, et al.

Dear Ms. Wooten:

The above-entitled petition for an extraordinary writ seeking unspecified relief was received in this office on June 2, 1998. The papers are returned for the following reason:

You must specify the type of relief being sought. Rule 20.

Kindly correct the petition and return it to this office promptly so that it may be docketed. Unless the petition is received in this office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5.

Sincerely,

William K. Suter, Clerk

By:/s/Ruth Jones

Ruth Jones

(202) 479-3022

Enclosures

APPENDIX 3

STATE TAX ASSESSMENT

Mississippi State Tax Commission

P. O. Box 1033

Jackson, Mississippi 93205

CERTIFIED P26-21959

Type Tax: Individual Income

Date: April 16, 1998

Acct. No: 426-98-7051

Delinquent Period: 1997

DLN: 81083,818

Tax Assessed	220.86
Penalty	.00
Interest	.00
Total Due	220.86

Date of First Notice: 03/17/98

Refer Reply To INDIVIDUAL AUDIT

The records of the Commission indicate that you have not properly paid the taxes due for the period indicated above. Consequently, we

are required by law to make an assessment for this period.

If you believe this assessment is wrong, you should immediately write or telephone the person named above so that the assessment may be corrected or set aside.

If the assessment is correct, you must pay the amount indicated within thirty (30) days. If the assessment is not paid within the time allowed, or if you have not shown why the assessment is wrong, the Commission will be required by law to take the following actions:

1. A judgment will be recorded against you in the County of your residence, and a warrant will be issued for its collection.

2. If this is unsuccessful, garnishment proceedings will be instituted against your salary.

3. As a final action, the Commission will be required to disallow your Homestead Exemption application.

Please give this matter your immediate

attention.

Sincerely,

Ed Buelow, Jr., Commissioner

By: Income and Franchise Tax Division

APPENDIX 4

DEFINITION OF WRITS

Habeas Corpus. --Lat: you have the body. The writ of habeas corpus, known as the GREAT WRIT, has varied use in criminal and civil contexts. It is procedure for obtaining a judicial determination of the legality of an individual's custody. Technically, it is used in the criminal law context to bring the petitioner before the court to inquire in the legality of his confinement. The writ of federal habeas corpus is used to test the constitutionality of a state criminal conviction. It pierces through the formalities of a state conviction to determine whether the conviction is consonant with **due process of law.** Issues not raised in the state proceeding generally cannot be raised in a federal habeas petition under the doctrine of **exhaustion.** The writ's usage has been limited by recent Supreme Court

opinions. The writ is used in the civil context to challenge the validity of child custody, deportations, and civil commitment to mental institutions.

Mandamus. --Lat: we command. An extraordinary writ issued from a court to an official compelling performance of a ministerial act that the law recognizes as an absolute duty, as distinct from other types of acts that may be a matter of the official's discretion. It is extraordinary in the sense that it is used only when all other judicial remedies have failed or are inadequate. It is an emergency writ.

Prohibition. A **prerogative writ** issued by a superior court that prevents an inferior court or tribunal from exceeding its **jurisdiction** or usurping **jurisdiction** which it has not been given by law. It is an extraordinary writ and is only issued when the party seeking it is without other means of redress for the wrong about to be inflicted by the act of the inferior tribunal. When the action sought to be prohibited is

judicial in nature the writ may be exercised against public officers. Sometimes it is referred to simply as prohibition.

APPENDIX 5

Mississippi Employment Security Commission

Child Support Notification

Ella L Wooten

P. O. Box 20015

Jackson, MS 39289

Social Security Number: 426-98-7051

Local Office Number: 380

Date Mailed: 01/14/98

The Mississippi Department of Human Services (MDHS), Office of Child Support Enforcement, notified this agency of an enforceable order dated 08/01/93 to collect monies owed by you for child support obligations. Beginning 01/04/98, the unemployment benefits due you will be reduced by 55% per week, up to a maximum of $100.00 per month. These monies will be directed to the Department of Human Services to be applied to you liability. This order will remain in effect until cancelled by MDHS.

Section 71-5-516 of the Mississippi Employment Security Law provides that such obligations shall be deducted and withheld from unemployment benefits payable.

If you have questions about the MDHS court order or the amount of child support owed, you may contact your local child support office.

However, if you wish to appeal the Commission's authority to deduct the liability from you unemployment benefits or the accuracy of the amount deducted, you many file such appeal within fourteen (14) days of the mailing of this notice. This appeal may be filed at the nearest claims office or by letter addressed to the Mississippi Employment Security Commission, P. O. Box 23088, Jackson, Mississippi 39225-3088.

APPENDIX 6

FROM	TO
THE MITCHELL CO., INC. P O BOX 160306 MOBILE, AL 36616-1306	ELLA L. WOOTEN P O BOX 20015 JACKSON, MS 39289

RECORD OF EARNINGS AND DEDUCTIONS

EMPLOYEE NAME	P/R NO.	M NO.	PERIOD ENDING	NO.
ELLA L WOOTEN	MS 000 18311864	S DEP M 09	06/05/98	43984

--HOURS--	---EARNINGS AND TAXES---		DEDUCTIONS-	
REG 20.00	CURRENT	Y-T-D	CURRENT	Y-T-D
GROSS PAY	104.60	1,419.45	PS 5.23	70.97
FED W/H	.00	.00	EI 18.00-	252.00
FICA W/H	8.01	108.60	* 12.77-	
DEDUCTIONS	12.77-			
NET PAY	109.36*			

STATEMENT OF DIRECT DEPOSIT

DEPOSIT DATE - 6/12/98

AMOUNT DEPOSITED-****109.36

*Net pay includes Advanced Earned Income Credit for $18.00 Received Weekly)

Supreme Court, U.S.
FILED
AUG 19 1998
OFFICE OF THE CLERK

(2)

NO. 98-42

==========

In The
Supreme Court of the United States
October, Term, 1997

-------●-------

IN RE MRS. ELLA LOUISE STEWART WOOTEN,
Petitioner,

v.

MISSISSIPPI, ET AL
Respondents.

-------●-------

On Petition For Writs of Mandamus
And Prohibition
To The Mississippi Supreme Court

-------●-------

Petitioner's Supplemental Brief

-------●-------

Mrs. Ella Louise Stewart Wooten
Pro Se Of Record For Petitioner
P. O. Box 20015
Jackson, MS 39289-0015
Telephone: (601) 969-5655

==========

QUESTIONS PRESENTED

I. WHETHER MISSISSIPPI DIVORCE AND MARITAL SEPARATION VIOLATES SUBSTANTIAL DUE PROCESS AND IS THEREFORE UNCONSTITUTIONAL.

II. WHETHER AS APPLIED IN THIS CASE MISSISSIPPI DIVORCE AND MARITAL SEPARATION DOES NOT APPLY TO BLACK MARRIAGES.

III. WHETHER AS INTERPRETED BY THE MISSISSIPPI COURT OF APPEALS SECTIONS ON MISSISSIPPI DIVORCE AND MARITAL SEPARATION IS REALLY A CONCLUSIVE PRESUMPTION, AND THUS, VIOLATES DUE PROCESS AND PROVIDES STATUTORY DAMAGES AND INTEREST.

IV. WHETHER APPLYING A PATERNITY FORM OF INSTRUCTION VIOLATES DUE PROCESS.

LIST OF PARTIES TO THE PROCEEDING IN THE COURT WHOSE JUDGMENT IS SOUGHT TO BE REVERSED

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Mr. Robert E. Sanders
Office of Attorney General
State of Mississippi
P. O. Box 220
Jackson, MS 39205
(601) 359-3680

The Honorable Kirk Fordice
Governor of Mississippi
P. O. Box 193
Jackson, MS 39205
(601) 359-3100

Smith's Sunbeam Bakery
Legal Department
2730 6th Street
Meridian, MS 39301
(601) 483-2236

Willie Ernest Wooten
Temporary Address
1977 Marshall Place
Jackson, MS 39213
(601) 362-7085

Denise McChelle Ratliff
Temporary Address
1977 Marshall Place
Jackson, MS 39213
(601) 362-7085

Postage Savers, Inc.
Mr. Charles Brady
P. O. Box 31175
Jackson, MS 39286
(601) 366-0072

The Mitchell Co., Inc.
Human Resources
Ms. Elaine Riley
P. O. Box 160306
Mobile, AL 36616-1306
(334) 380-2929

TABLE OF CONTENTS

Page

QUESTIONS PRESENTED.....i

LIST OF PARTIES TO THE PROCEEDING IN THE COURT WHOSE JUDGMENT IS SOUGHT TO BE REVISED.....ii

TABLE OF CONTENTS.....iv

TABLE OF AUTHORITIES.....v

I. THE UNITED STATES SUPREME COURT HAS JURISDICTION.....1

II. THE STATE COURT'S DECISION FOR STATUTORY DAMAGES AND INTEREST IS VALID IF, AND ONLY IF, ALL OF MISSISSIPPI STATUES FOR CHILD SUPPORT PAYMENTS IS INVALID.....4

CONCLUSION.....9

TABLE OF AUTHORITIES

Page

Federal Statutes

26 U.S.C. § 71(c)(2)(1976).....9

28 U.S.C. § 1651(a).....1, 4

Mississippi Statutes

§ 2-6 Other legal consequences of separation.....5, 6

§ 3-1 Nature of divorce proceedings.....5

§ 3-2 History of divorce.....5

§ 43-19-35 Collection of child support.....7

§ 93-5-1 Causes for divorce.....4

§ 93-11-105 Delinquency procedures.....7

Mississippi Case

Lowicki v. Lowicki 429 So. 2d at 920 (1983).....9

I. THE UNITED STATES SUPREME COURT HAS JURISDICTION. 28 U.S.C. § 1651 states in pertinent part:

> (a) The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.

This case involves the validity of several state statutes on the grounds of all of them being disagreeable to the Constitution. I assert that Mississippi Divorce and Marital Separation and Mississippi Corrected Withholding Order is unconstitutional as it was applied in this case.

This issue was first raised by me in the trail court, to show evidence that child support payments against me was not a legitimate issue on the cause, when there was no legal divorce or legal separation or an agreed order for my husband to feel like and think that I owed him child support. It later overruled my objection, and dismissed with prejudice. (App. 27).

Respondent prevailed in the trail court. I appealed.

In a Petition for Rehearing to the court, whatever I said, was in good faith to put an end to the illegal take-over of my children (Apps. 53, 54) and that forced my separation away from my children and home (Apps. 56, 57) for statutory damages and interest (App. 15) not to be the same kind of payments as child support (App. 30) and not an award in Mississippi chancery courts to the child support agency. My Petition for Rehearing was denied. (App. 16).

Later, I brought a Petition for Review in the Mississippi Supreme Court, alleging misconduct, fraud, misrepresentation as well as due process and civil rights violations. The Mississippi Supreme Court denied review because I failed to show good cause for untimeliness. (Apps. 24, 25).

The jurisdiction of the United States Supreme Court does not depend on whether the state court

addressed the federal question or whether I failed to express myself properly in a timely manner. Without an attorney, it is enough that I tried every thing, before coming to this Court, to get state officials and others to see that they were then and are still violating my civil rights. Furthermore, when the Mississippi Supreme Court denies a Petition for Review, it is to be assumed that the court has been given fair opportunity to review the merits of my claim, for purposes of exhaustion of state court remedies. The issues of meaningful state participation of malicious and willful misconduct on the cause, to interfere with my rights to be with my children at my marital home, for expecting me to stay away from my children and home and pay child support to my husband, has been raised, preserved and passed upon by the Mississippi Supreme Court.

I sought many times for a writ of certiorari and I failed all those times to respect the Rules of this Court, without having to know that I

was seeking the wrong writ.

This court has jurisdiction under 28 U.S.C. § 1651(a) because I exhausted all of my state court remedies on the issues raised by this petition.

II. THE STATE COURT'S DECISION FOR STATUTORY DAMAGES AND INTEREST PAYMENTS IS VALID IF, AND ONLY IF, ALL OF MISSISSIPPI STATUES FOR CHILD SUPPORT PAYMENTS IS INVALID. The court's invoked Mississippi Divorce §93-5-1(9). (Apps. 2). This statute is one of the twelve (12) causes to put a legal end to a marriage, and this statute shifted the burden of proof onto me to prove that it must be heard by a judge and not approved between attorneys. State's divorce showed things to be wrong, for me to be the non-custodial parent away from my children and home and be burden with child support payments, but did not show me how to correct them or what to do. Such as, there is only one type of divorce in Mississippi, the absolute divorce and termination

of the marital status. § 3-2 History of divorce in Mississippi. And its dissolution cannot not be wished or agreed upon between the attorneys on the cause. (App. 48). § 3-1 Nature of divorce proceedings. Equal owners to all and any mixed property but no determination was made as to which parent had possession of real property (Apps. 45, 46) and equal custody of children were given and responsibility of the children were not shared by both parents and neither parent assumes custody of their children for a fixed period, such as for six months or for the school year or for the summer vacation (App. 47) and rights of visitation were with a paternity and maternity form (App. 48) but no determination was made as to which parent was the non-custodial parent.

The court's invoked Mississippi Marital Separation § 2-6. (Apps. 15). This statute shifted the burden of proof onto me to prove that I was not the dead wife and mother, as the

State's divorce had expected for my husband and his bigamy marriage to another woman could enjoy my estate. (App. 56). State's marital separation showed things to be wrong, for me to be the non-custodial parent away from my children and home and burden me with child support payments, but did not show me how to correct them or what to do. Such as, the awarding of my estate to my husband (App. 32) and the collection and holding of my tax refund for EIC before my death (Apps. 36, 37). Mississippi Marital Separation, § 2-6 Other legal consequences of separation, is based on the right to live together in the same domicile, to eat at the same table, and to participate together in the activities, duties and responsibilities necessary to make a home for a legitimate family unit. (Apps. 35, 36). Where a third party willfully interferes with these rights, he/she deprives either the husband or the wife of the reciprocal marital benefits and creates a right to damages in the aggrieved

spouse. (Apps. 37, 48, 66).

The court's invoked Mississippi Collection of Child Support Payments and Delinquency Procedures. §§ 43-19-35,93-11-105. (App. 12). This statute shifted the burden of proof onto me to prove that I did not owe delinquency and current child support payments for the child support agency to use degrading means for funds and it also would be inappropriate for any employer to withhold child support from my pay. State's corrected withholding order showed things to be wrong, for me to be the non-custodial parent away from my children and home and burden me with current and delinquency child support payments, and did show me how to correct it and what to do. Such as, there was no current and delinquency child support payments against me beginning August 1, 1993 (Apps. 29, 30) because there was no valid Mississippi Withholding Order against me beginning August 1, 1993. (App. 86). So, there was then and is still no delinquency

and current order imposed upon me to pay child support payments for any employer to withhold from my paycheck and for intercepting my tax refunds. (Apps. 70, 82).

The court's decision for statutory damages and interest is valid if, and only if, all of Mississippi Statues for child support payments is invalid. If all of Mississippi Statues is found to be unconstitutional, the decision for child support payments against me cannot stand. There is no adequate, independent state ground for the state court's decision for child support payments to remain valid. And the court's agrees that a court was wrong to burden me with child support payments with a paternity form (App. 31) by invoking Mississippi statutory damages and interest with a maternity form (App. 15). Statutory damages is a lump sum payment beyond a 10-year period. Payment of a principal sum over a period of more than 10 years may be treated as deductible periodic payments to the extent

of 10 percent of the lump sum. 26 U.S.C. § 71(c)(2)(1976). Whereas statutory damages cannot be applied to the periodic payments of alimony and child support because such payments are on a monthly basis over a substantial period of time. 429 So. 2d at 920 (1983).

CONCLUSION

Since the docketing of this petition for both extraordinary writs, a pack has been made to put me in an even worse situation, on the street. I am having to pay one-sixth rent, 100% utilities, and $26.25 a week for child support is being taken. I was denied credit at my bank because of unpaid medical bills and two months late paying my husband's mortgage note and child support was being deducted from my paycheck, long before I had notice of such action. My children are having to take-on an adult role, by cutting grass and baby-sitting

to provide food and clothes and school supplies for themselves, when they should be in summer programs and activities.

The only jobs I have been able to get with a B.S. degree in computer science, have been low-paying jobs that requires no degree. Such as sorting mail, cleaning filthy apartments and trashy ground, and working in a greasy kitchen. Which has been better than no job at all for keeping my family (children and husband) together as the legitimate "Wootens" on my federal and state taxes. (Apps. 79, 84).

This case (among state officials and others) presents no concerns for my children and my life at all in several statues invoked on the cause, as unconstitutional as well as due process and civil rights violations in Mississippi. I respectfully request this Court to grant all writs necessary and/or appropriate to restore my life with my children at my marital domicile as the legitimate wife and mother.

MRS. ELLA LOUISE STEWART WOOTEN

BY Mrs. Ella Louise Stewart Wooten

MRS. ELLA LOUISE STEWART WOOTEN

PRO SE OF RECORD

JACKSON, MS 39289-0015

TELEPHONE: (601) 969-5655